

SIXTH DAY

(Wednesday, September 17, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gilmer
Allen	Halsey
Allison	Hanna
Alsup	Hardeman
Avant	Hargis
Bailey	Harris of Dallas
Baker	Harris of Hill
Bean	Hartzog
Bell	Heflin
Benton	Helpinstill
Blankenship	Henderson
Boone	Hileman
Brawner	Hobbs
Bray	Howard
Bridgers	Howington
Brown	Hoyo
Bruhl	Huddleston
Bullock	Huffman
Bundy	Hughes
Burkett	Humphrey
Burnaman	Hutchinson
Carrington	Isaacks
Cato	Jones
Celaya	Kelly
Chambers	Kennedy
Clark	Kersey
Cleveland	Kinard
Coker	King
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwait	Lehman
Daniel	Leyendecker
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Donald	Lowry
Dove	Lucas
Duckett	Lyle
Dwyer	McAlister
Ellis	McCann
Eubank	McDonald
Evans	McGlasson
Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fuchs	Manford
Gandy	Manning
Garland	Markle

Martin	Sallas
Matthews	Senterfitt
Mills	Sharpe
Montgomery	Simpson
Moore	Smith of Bastrop
Morgan	Spacek
Morris	Spangler
Morse	Stanford
Murray	Stinson
Pace	Stubbs
Parker	Thornton
Pevehouse	Vale
Phillips	Voigt
Price	Walters
Rampy	Wattner
Reed of Bowie	Weatherford
Reed of Dallas	White
Rhodes	Whitesides
Ridgeway	Williamson
Roark	Winfree
Roberts	

Absent—Excused

Carlton	Green
Colson, Mrs.	Nicholson
Dickson of Nolan	Shell
Fitzgerald	Smith of Atascosa
Goodman	Taylor

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, we thank Thee that Thou dost accept our praise and hear our prayers. Conscious of our unworthiness in Thy sight, but aware of our need, we pray that we may have Thy guidance today, and may take with us the consciousness of work well done. To that end wilt Thou lead both branches of our Legislature; and wilt Thou especially bless our Governor and his loved ones at this time. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Shell for today on motion of Mr. Hartzog.

Mr. Green for today on motion of Mr. Manning.

Mr. Smith of Atascosa for today on motion of Mr. Roberts.

Mr. Goodman for today on motion of Mr. Simpson.

Mr. Fitzgerald for today on motion of Mr. Hileman.

Mr. Dickson of Nolan for today on motion of Mr. Pevehouse.

Mr. Taylor for today, on account of military service, on motion of Mr. Klingeman.

The following Member was granted leave of absence on account of illness:

Mrs. Colson for today on motion of Mr. Heflin.

HOUSE BILLS ON FIRST READING

The following House bills introduced today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McCann and Mr. Avant:

H. B. No. 39, A bill to be entitled "An Act prohibiting the killing of deer in Harrison and Marion Counties for a period of five (5) years, ending November 16, 1946."

Referred to the Committee on Game and Fisheries.

By Mr. White:

H. B. No. 40, A bill to be entitled "An Act declaring the condition caused by electrolytic corrosion in the Town of Pecos City, Texas, and elsewhere in Reeves County, Texas, to be a public calamity; donating and granting to the Town of Pecos City, Texas, for a period of twenty years all of the State ad valorem taxes collected in Reeves County for general revenue purposes; declaring the moneys so granted to be trust funds to aid said city in paying interest on principal of and providing sinking funds for bonds or warrants hereafter issued by said City; specifying that the proceeds of such bonds or warrants be used exclusively in the repair and replacement of water systems of said City; prohibiting diversion of such moneys; specifying the reports to be made by the Assessor and Collector of collections of State ad valorem taxes for general revenue purposes and disposal thereof and providing for the payment over by him of the moneys by said

grant; providing that if any provision of this Act shall be held unconstitutional the other provisions shall not be affected; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Klingeman:

H. B. No. 41, A bill to be entitled "An Act creating a Special Road Law for Karnes County, Texas; authorizing the Commissioners' Court of said County to issue funding bonds and/or funding warrants for the purpose of funding outstanding scrip warrants and/or time warrants issued against the road and bridge fund of said county; providing that it shall not be necessary to give notice of intention to issue such funding bonds and/or time warrants or to submit the question to an election; validating such scrip and time warrants; providing the method of issuing same and providing they shall not bear more than 5% interest per annum; providing that the Commissioners' Court shall levy a tax sufficient to pay the interest thereon and the principal thereof as they respectively mature; making the general laws pertaining to roads and bridges applicable to Karnes County when not in conflict with the provisions of this Act; providing that the provisions of this Act shall be effective in case of conflict with any general or special law; providing that if any portion of this Act shall be held invalid such holding shall not affect the other portions thereof; enacting other provisions relating to the subject; and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Carrington and Mr. Stanford:

H. B. No. 42, A bill to be entitled "An Act granting to the City of Austin, Texas, the right to establish, erect, operate and maintain, separately or in conjunction with the United States Government or any of its agencies, particular such agencies as may be a part of the National Defense Program, a Public Assembly Hall and Recreation Center upon the

tract of land bounded on the north by Fifth Street, on the south by Fourth Street, on the east by Guadalupe Street, and on the west by San Antonio Street, in the City of Austin; and changing the designation upon the map of the City of Austin of said tract from "Public Square" to "Public Assembly Hall and Recreation Square," so as to grant to the City of Austin for fifty (50) years the said land for a Public Assembly Hall and Recreation Center; and retaining title in the State of Texas; repealing all laws or parts of laws conflicting herewith, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Harris of Hill:

H. B. No. 43, A bill to be entitled "An Act regulating the official ballot and requiring the county committee to print a minimum of four official ballots for each county for primary elections, otherwise as pursuant to Article 3109, Revised Civil Statutes of Texas, differing only with respect to the office of county commissioner; providing for the furnishing of same to election officials corresponding to commissioners' precincts and requiring such officials to determine in which commissioner's precinct a voter resides before furnishing him with a ballot; and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. McAlister, Mr. Stinson, Mr. Boone, Mr. Reed of Dallas, Mr. Harris of Dallas, Mr. Crosthwait and Mr. Love:

H. B. No. 44, A bill to be entitled "An Act authorizing two or more cities of more than one hundred thousand (100,000) population according to the last preceding Federal Census or any future Federal Census to jointly acquire airports by purchase, gift, devise, or by the power of eminent domain, or in any other lawful manner. The land may be located wholly within the County of any one of said cities, or partly in the County of one of them and partly in the County of any of the other cities affected, with full power to improve, manage, control or lease

said airports upon terms agreeable to said cities; and providing that this Act shall be cumulative of all other laws or charter provisions relating to the same subject; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Eubank:

H. B. No. 45, A bill to be entitled "An Act to aid Motley, Hall, Childress and Cottle Counties, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various commissioners' precincts of said counties, etc.; and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Spangler:

H. B. No. 46, A bill to be entitled "An Act to prohibit the taking of minnows to be used as a bait or for the purpose of barter or sale from the waters of the lake impounded by Medina Dam in Medina and Bandera Counties; providing a penalty; repealing all laws in conflict; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Halsey:

H. B. No. 47, A bill to be entitled "An Act to amend House Bill No. 618, Acts of the 47th Legislature, which amended Article 2779 of the Revised Civil Statutes of Texas, by adding Article 2779a, so as to remove therefrom the provisions applicable to counties having a population of not less than fifty-one thousand, three hundred and twenty-five (51,325) and no more than fifty-four thousand, two hundred (54,200), according to the last Federal Census; and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Kelly:

H. B. No. 48, A bill to be entitled "An Act making an appropriation out of the general fund of the State Treasury of the State of Texas, not otherwise appropriated, an emergency

appropriation to the Board of Pardons and Paroles, defining the use and purposes of said appropriation and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. McLellan:

H. B. No. 49, A bill to be entitled "An Act for the purpose of preserving and protecting the natural resources of Colorado County, Texas, by declaring the floods of Colorado County, Texas, to be a public calamity; authorizing an adoption and grant to Colorado County of one-half of the State ad valorem taxes collected in Colorado County for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Taxes; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing, in the event of the creation of a Flood Control District in said County, for the donation and grant by the State of one-half of the State ad valorem taxes collected in Colorado County to said Flood Control District instead of Colorado County for flood control improvement and maintenance purposes providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Bell:

H. B. No. 50, A bill to be entitled "An Act declaring the recent floods in the City of Cuero and elsewhere in De Witt County to be a public calamity; donating and granting to the City of Cuero, Texas for a period of twenty years five-ninths (5/9) of the State ad valorem taxes collected in De Witt County for general revenue purposes; declaring the moneys so granted to be trust funds to aid said City in paying interest and sinking funds for bonds or warrants hereafter issued by said City; specifying that the proceeds of such bonds or warrants be used exclusively for the purpose of constructing and

maintaining pools, lakes, reservoirs, dams, canals and waterways for the purpose of irrigation and drainage, or in aid thereof under authority of Article 3, Section 52 of the Constitution of the State of Texas; prohibiting the diversion of such moneys; specifying the reports to be made by the Assessor and Collector of collections of State ad valorem taxes for general revenue purposes and disposal thereof and providing for the payment over by him of the moneys collected; authorizing the issuance of bonds for the purposes named herein and prescribing the method of procedure in the issuance of same; prescribing the rate of interest and the maturities of said bonds; prescribing specific powers of the City of Cuero, the County of De Witt, and of Drainage District No. 1 of De Witt County with respect to any matter within the scope of this Act; providing that if any provision of this Act shall be held invalid or unconstitutional the other provisions shall not be affected; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Crosthwait, Mr. Stinson, Mr. Harris of Dallas, Mr. Reed of Dallas and Mr. Hanna:

H. B. No. 51, A bill to be entitled "An Act providing that in all counties having a population of more than three hundred and fifty thousand (350,000) and less than five hundred thousand (500,000) inhabitants according to the last preceding or any future Federal Census in the State of Texas having County Courts at Law, the Judges of such Courts may act for the County Judge in probate or guardianship proceedings or matters, also in juvenile and lunacy cases; providing that any such act and judgment of any such Judge of the County Court at Law shall be valid and binding upon all parties the same as if rendered by the County Judge; providing that this Act shall not deprive the parties interested in any case pending in the County Court to appoint a proper person to try such case in the manner provided by the Constitution of this State when the Judge of the County Court in such case is disqualified; providing that no additional

compensation or salary shall be paid to the Judge of any such County Court at Law for such additional powers and duties conferred upon such Judges of the County Courts at Law by this Act; providing this Act shall not apply to any county having a population of more than three hundred and fifty thousand (350,000) according to the last Federal Census; providing for the repealing of all laws and parts of laws in conflict with this Act; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Kinard:

H. B. No. 52, A bill to be entitled "An Act authorizing the Commissioners' Court in any county having a population of not less than seventeen thousand three hundred seventy-five (17,375) and not more than seventeen thousand three hundred eighty-three (17,383), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such Commissioner, to pay the expenses of operation and repair of such automobile so used by him, without further expense to the County; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Manning, Mr. Hargis, Mr. Lock and Mr. Kelly:

H. B. No. 53, A bill to be entitled "An Act authorizing the Game, Fish and Oyster Commission of Texas to enter into cooperative agreements with the United States for the protection and management of wildlife resources on certain national forest lands in Texas situated in the Counties of Angelina, Jasper, Nacogdoches, San Augustine, Houston, Trinity, Sabine, Shelby, Montgomery, San Jacinto and Walker and to restock and protect the same; authorizing the Game, Fish and Oyster Commission to close hunting and fishing within such lands, to prescribe seasons for hunting and fishing therein, to fix hunting and/or fishing license fees for hunting or fishing therein and to provide for disposition of same, to

prescribe the number and size of animals and fish to be taken and to provide conditions under which same may be taken; prescribing penalty for violations of the rules and regulations promulgated by the Game, Fish and Oyster Commission and for other purposes; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Bullock and Mr. Burkett:

H. B. No. 54, A bill to be entitled "An Act amending Article 198 of the Revised Civil Statutes of the State of Texas, 1925, as amended by the Act of the Forty-sixth Legislature, 1939, page 148, Section 1, relating to and designating the Supreme Judicial Districts of the State of Texas, by transferring Kent County from the Seventh Supreme Judicial District to the Eleventh Supreme Judicial District; providing that this Act shall not affect the jurisdiction of the Court of Civil Appeals for the Seventh Supreme Judicial District in cases appealed from Kent County, in which the transcript shall have been filed in said Court prior to the date this Act takes effect; provided that in all cases from Kent County in which appeal or writ of error has been perfected, but the transcript not filed in the Court of Civil Appeals for the Seventh Supreme Judicial District prior to the effective date of this Act, the record of such case or cases shall be filed in the Court of Civil Appeals for the Eleventh Supreme Judicial District of Texas, which shall have jurisdiction; provided further, that in any case from a trial court in Kent County, in which appeal or writ of error may be perfected after the passage of this Act, but before its effective date, if the transcript be filed in the Court of Civil Appeals for either the Seventh or the Eleventh Supreme Judicial District of Texas within the time otherwise provided by law, such appeal shall not be dismissed for failure to file the transcript in the proper court, but if filed in the wrong court, the clerk thereof shall transmit the record, together with a transcript of any orders made in the case, to the proper court having jurisdiction; and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Davis:

H. B. No. 55, A bill to be entitled "An Act making it lawful to catch or take by the use of the hands or with or without poles or lines in the manner commonly known as grappling, mud cat, carp, buffalo or shad fish in the waters of McLennan County. All laws or parts of laws in conflict with this Act are hereinafter repealed. The fact that McLennan County after the opening and closing of the gates of Lake Waco has a great number of the above named fish deposited among rocks and gravel in the bed of the Bosque River which will lay there and die, becoming a menace to the public, thereby creating an emergency which makes it necessary that the Constitutional Rule requiring all bills to be read on three several days in each House, be and the same is hereby suspended, and this Act shall take effect and be enforced from and after its passage, and it is so enacted."

Referred to the Committee on Game and Fisheries.

By Mr. Crosthwait, Mr. Stinson, Mr. Reed of Dallas, Mr. Harris of Dallas and Mr. Hanna:

H. B. No. 56, A bill to be entitled "An Act providing for a budget system in counties of three hundred and fifty thousand (350,000) inhabitants or more and less than five hundred thousand (500,000) inhabitants, as shown by the last preceding or any future Federal Census, and the procedure thereunder, and the enforcement thereof, and for reports with respect to said budget, and the finances of said counties; and providing for the contents of said reports and their publication; and repealing all laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Kinard:

H. B. No. 57, A bill to be entitled "An Act to amend Article 1113 of the Revised Civil Statutes of Texas as amended by the Acts of the Forty-third Legislature, page one hundred

twenty-two (122), by adding Article 1113A, to provide that where a city or town at the time of, or prior to the purchase or acquisition of Sanitary Sewer System, has authorized the issuance of bonds for the purchase, improvement, extension, enlargement, repair, and construction of a Sanitary Sewer System for said city or town, has voted bonds for such purchase and all such bonds have not been issued, the remaining amount of bonds so authorized may be issued and sold; further providing how such bonds may be designated if issued at the time the outstanding bonds are sold; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

BILL RE-REFERRED

Mr. McLellan moved that House Bill No. 49 be withdrawn from the Committee on State Affairs and referred to the Committee on Counties.

The motion prevailed.

COMMUNICATION

The Speaker laid before the House and had read the following communication:

Austin, Texas,
September 16, 1941.

Mr. Speaker and Members House of Representatives, Austin, Texas.

Dear Mr. Speaker and Members of the House,

Please accept my thanks for your expressions of friendship as reflected by the Resolution and the bouquet of lovely flowers you sent me. May I assure you that I am most appreciative.

Sincerely,
NEVEILLE H. COLSON.

MESSAGE FROM THE SENATE

Austin, Texas, Sept. 17, 1941.
Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 6, Relative to lending certain Highway equipment to the City of Mount Pleasant.

H. C. R. No. 8, Making certain requests of Congress with reference to the Social Security Act.

Respectfully,

BOB BARKER,

Secretary of the Senate.

COMMENDING HON. HAROLD E. STASSEN

Mr. Humphrey offered the following resolution:

H. S. R. No. 17, Commending Hon. Harold E. Stassen, Governor of Minnesota.

Whereas, Harold E. Stassen, Governor of Minnesota, has accepted an invitation to visit in the State of Texas the first part of November; and

Whereas, He is the youngest Governor in the United States and the youngest Governor in the history of Minnesota; and

Whereas, He has largely been responsible for an outstanding work in the reorganization of the Minnesota State Government; and

Whereas, He is a great American statesman, experienced in the affairs of government; and

Whereas, The citizens of Minnesota have conferred many honors upon him by electing him to positions which he has so admirably, efficiently, and devotedly filled, thus bringing honor and credit to himself and his State; and

Whereas, He has consented to take time from his pressing and arduous duties in his home State to visit in our own State of Texas; and

Whereas, The Legislature will not be in session during his visit so that it is impossible to extend him an invitation to address the Texas Legislature; now therefore be it

Resolved by the House of Representatives of the Special Session of the Forty-seventh Legislature of the State of Texas, That a vote of commendation, thanks, and appreciation is hereby accorded His Excellency Governor Harold E. Stassen for relinquishing his duties in order to make this visit to Texas, and that he is hereby accorded all the privileges, rights, and advantages commensurate with his position as a distinguished visitor, with the earnest desire that he will consent to address

any organization or group of our citizens who may invite him while he is in Texas, and we invite him to visit as much of our State as his time will permit;

Be It Further Resolved, That good wishes be extended to him for a continuance of his endeavors for better government in his State and our Nation, and that the Chief Clerk of the House of Representatives be instructed to forward a copy of this resolution to His Excellency Governor Harold E. Stassen.

HUMPHREY.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Green, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Hutchinson, Isaacks, Jones, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Williamson, and Winfree.

On the motion of Mr. Cato, the names of all the Members of the

House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

**NAMING BEVERLY REECE DAVIS
SWEETHEART OF THE
HOUSE**

Mr. McNamara offered the following resolution:

H. S. R. No. 19, Naming Beverly Reece Davis Sweetheart of the House.

Whereas, On the sixteenth day of September at Ten Twenty-five A. M. there was born at Waco, Texas, to Mr. and Mrs. Gordon R. Davis, a beautiful baby girl weighing ten and one-quarter pounds, who has been given the name of Beverly Reece; and

Whereas, The Honorable Gordon Davis is a Member of the House of Representatives and one of our esteemed colleagues; and

Whereas, We desire to extend our hearty congratulations to Mr. and Mrs. Gordon Davis; and

Whereas, Beverly Reece Davis is a proper person for the designation of sweetheart and mascot of the House of Representatives of the Forty-seventh Legislature; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That Beverly Reece Davis be officially named as sweetheart and as mascot respectively, of the House of Representatives of the Forty-seventh Legislature of the State of Texas; and be it further

Resolved, That the House of Representatives extend their hearty congratulations to Mr. and Mrs. Gordon R. Davis and that a copy of this resolution be sent to them.

McNAMARA,
McGLASSON.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel,

Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Green, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McLellan, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Williamson, and Winfree.

On the motion of Mr. Spacek, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

**ENDORISING HONORABLE
LESLIE LOWRY**

Mr. Duckett offered the following resolution:

H. S. R. No. 20, Endorsing Honorable Leslie Lowry.

Whereas, The membership of this House has learned that the Honorable Leslie Lowry, the member from Jefferson County, has at the request of his many friends, become a candidate for Mayor of the City of Beaumont, Texas; and

Whereas, The Honorable Leslie Lowry has served but his first term in this House, in that time he has not only endeared himself in a personal way to the members of the House of Representatives of this Legislature by his affable and understanding manner and principles of

fairness, but has thoroughly demonstrated an exceptionally astute ability as a legislator and has, with a fine sense of duty and fiery courage for the principles of justice, rendered invaluable services to his constituents and to his native State, comparable to the service of Texas' truest statesmen; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we congratulate the City of Beaumont on being able to secure, in one of its most important political departments, the whole hearted services of a man so thoroughly honest, upright, and exceptionally capable as Mr. Lowry; and although it is with deepest regret that we shall lose our friend and able colleague, Mr. Lowry, be it further

Resolved, That, with sincere and tested knowledge of his abilities and the man himself, we heartily recommend him to the people of Beaumont, knowing that no finer choice could be made.

DUCKETT,
McLELLAN,
MANNING.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Green, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McMurry, McNamara, Manford, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Pace, Parker, Pevehouse, Phillips,

Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Vale, Voigt, Walters, W a t t n e r, Weatherford, White, Whitesides, Williamson, Winfree.

On motion of Mr. Hutchinson, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was adopted.

REASON FOR VOTE

I did not vote for H. S. R. No. 20 because it is not within the province of the Legislature to endorse any of its members for a public office. My vote was not intended and cannot be construed as a reflection on the character or ability of Mr. Lowry, but rather as an expression of the intelligence of the voters of Beaumont to select of their own free will the mayor of their choice.

KINARD.

TO INVITE SENATOR W. LEE O'DANIEL TO ADDRESS THE HOUSE

Mr. Favors offered the following resolution:

H. S. R. No. 21, To invite Senator W. Lee O'Daniel to address the House.

Whereas, There is now in the State of Texas a former Governor who made a distinguished and outstanding record, and is loved and admired by countless thousands throughout the State of Texas, and who, after being unanimously endorsed by this House of Representatives, was elected and is now serving as Junior Senator from Texas in the United States Senate with an outstanding record. Therefore, Be It Resolved, That the House of Representatives of the 47th Legislature, First Called Session, invite the Honorable W. Lee O'Daniel to address the House at 2.30 p. m., Friday, September 19, 1941.

The resolution was read second time.

Mr. McAlister moved to refer the resolution to the Committee on State Affairs.

Mr. Craig moved to table the motion to refer.

Mr. Humphrey raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Craig moved to suspend the Rules relative to the consideration of resolutions until the above resolution is disposed of.

The motion was lost.

APPOINTMENT ON SPECIAL COMMITTEE

The Speaker announced the appointment of Mr. Bruhl as a Member of the Committee named in Senate Bill No. 18, Regular Session, Forty-seventh Legislature, to fill the vacancy created by the resignation of Mr. Phillips.

RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally the following enrolled resolutions:

H. C. R. No. 6, Authorizing the loan of certain highway equipment.

H. C. R. No. 8, Memorializing Congress in regard to social security Act.

SPECIAL COMMITTEES APPOINTED

The Speaker announced the appointment of the following committee to escort Governor Coke R. Stevenson to the Speaker's stand:

Messrs. Bailey, Ellis, King, Parker and Morgan.

The Speaker announced the appointment of the following committee to escort Honorable Dorsey B. Hardeman to the Speaker's stand:

Messrs. Heflin, Rampy, Howington, Burkett and Crossley.

RELATIVE TO HOUSE BILL NO. 45

Mr. Morris raised a point of order on House Bill No. 45 on the ground that the bill does not come within the Governor's call.

The Speaker sustained the point of order.

RELATIVE TO HOUSE BILL NO. 49

Mr. Morris raised a point of order on House Bill No. 49 on the ground that the bill does not come within the Governor's call.

The Speaker sustained the point of order.

IN OBSERVANCE OF CONSTITUTION DAY

In accordance with the provisions of H. S. R. No. 13, heretofore adopted, providing for exercises at 11:00 a. m., today in observance of September 17, "Constitution Day," the Hon. Coke R. Stevenson and party, escorted by Messrs. Bailey, Ellis, King, Parker, and Morgan, committee heretofore appointed to escort Mr. Stevenson to the Speaker's stand, were announced at the bar of the House and escorted to seats on the Speaker's stand.

Hon. Dorsey Hardeman was escorted to the Speaker's rostrum by Messrs. Heflin, Rampy, Howington, Burkett and Crossley.

Members of the Supreme Court and the Court of Criminal Appeals were also present.

Dr. Archie Jones of the University of Texas also occupied a seat on the Speaker's rostrum.

Speaker Leonard presented Dr. Archie Jones, who led the House and the assemblage in the singing of "America," "God Bless America," and "The Eyes of Texas."

Speaker Leonard presented Mr. Hardeman, speaking as follows:

Members of the House, the talks today are in two parts. The first is by one of the ablest members of this body—the Honorable Dorsey B. Hardeman. It has been my pleasure to serve with Mr. Hardeman for some years now, and as our service together through the weeks and months has lengthened into years I have developed an increasing admiration for him as a man and as a statesman. I think that he truly exemplifies all those attributes we usually think of when we speak of a statesman. I think he is one of the ablest men ever to sit in this body; a man of unusual ability with a complete realization at all times of his duties not only to his constituents

but to all the people of Texas. A man more blessed than most of us by those characteristics and those qualities which have permitted him to serve here so ably and so well; he has that great broad attitude of statesmanship that we all ought to strive for at all times. Because of my great admiration for him as a man, and as a public official, it is a happy privilege, a real pleasure, for me to be permitted to present to you now your colleague, the Honorable Dorsey B. Hardeman, the Gentleman from Tom Green.

Mr. Hardeman then addressed the House and the assemblage, as follows:

(The following address by Dorsey B. Hardeman was delivered on September 17, 1941, without reference to any notes or manuscript and in order that it be left as nearly as possible in the form in which it was spoken the speaker made as few changes in the transcribed notes as possible.)

Mr. Speaker, Your Excellency, Governor Stevenson, Members of the Supreme Court, Members of the Court of Criminal Appeals, Distinguished Citizens of Texas, and Ladies and Gentlemen of the House of Representatives:

Of the very gracious and charitable presentation of me, by the distinguished Speaker of the House, let me say of him as Homer spake of Ulysses:

"Frequent and soft as falls the wintry snow
Thus from his lips the copious periods flow."

I am grateful, of course, for your kind remarks, Mr. Speaker, and for the distinct honor conferred upon me by my colleagues on being invited to participate in this programme, and only say that I hope to attain, sometime, some of the attributes thus ascribed and to merit the confidence thus expressed.

I am reminded on this occasion of Hamlet's direction to his servant, Polonious, concerning the players, when he said

"Use them after your own honor and dignity,

The less they deserve it, the more merit is in your bounty,"

and give me a quantum of your bounty, even though it be not deserved will be gratefully received as I attempt to discuss, briefly as I may, some of the history and circumstances relating to the drafting of our national charter of government.

Please understand that my remarks are not to be taken as interpreting or construing in any wise, the Constitution, as this matter has long been the prerogative of the courts—a coordinate branch of the government.

Truly, this is a significant and an inspiring occasion when representatives of all three departments of our state government may meet, in simple dignity, and observe this anniversary of the adoption of the Constitution of the United States by the Convention of 1787. For Texans, be they native-born or adopted sons, have long been believers in written constitutions as the glorious history of this great commonwealth shows, having served under nine constitutions in addition to the Federal Constitution.

As leading up to the events of 1787 let us recall the period of discovery from 1492 to the era of settlement and colonization which began in 1607 and continued for the next 168 years until the shot was fired on April 19, 1775, which was "heard 'round the world." Then, in July of the following year, the oppressed colonists met in Philadelphia and there declared themselves to be free and independent and set out certain inalienable rights and self-evident truths, the flouting of which cost old Charles the First his head and George the Third an empire. The hardships of the struggle that continued and the successful termination of the Revolutionary War in 1781, with the surrender of old Cornwallis at Yorktown which was followed by the Treaty at Ghent in 1783 are familiar matters and lead us to the beginning of the darkest period of American history which was described by Gouverneur Morris as being the time when "the fate of the Revolution was suspended by a hair," and by others as a "Barmecidal feast of economic vagaries

when the Goddess of discord reigned supreme."

This was the time when the newly-liberated Americans were confronted with the problem of founding a nation in which neither tyranny nor lawlessness would be tolerated nor would legislative alchemy be encouraged. How well this responsibility was discharged exceeded the fondest hopes of the most optimistic patriots and statesmen of that time. Experimentation became the order of the day, so to speak, as they undertook to operate under "a league of friendship" or a "compact of sovereign states," provided for in the Articles of Confederation. The Articles, ineffective though they were, served as the instrument of a national government during those trying days and, as John Marshall said, they were not to be regarded lightly in that "they deserved the respectful consideration of the American people if they preserved the idea of union."

The leaders of the country at that time recognized the weaknesses of the Articles and sought a solution therefor by calling a convention to meet in Philadelphia on May 15, 1787. I think, perhaps, this idea grew out of a meeting in 1785 between delegates from Maryland and Virginia in which some common practices were adopted for those two states. Accordingly, on the 29th day of May, 1787, when a quorum could be obtained, 51 of the 70 delegates selected from 12 of the states convened in the City of Brotherly Love. Rhode Island never selected delegates and was not, of course, represented in the convention and only ratified the Constitution after threat of coercion. It was early determined to draft a new document rather than undertake to correct or amend the ineffectual Articles.

Let no one think that these men were ignorant and inexperienced. On the contrary they were men of experience and learning, familiar with history and with humanity. They were men inured to toil and hardship and whatever they had represented an achievement and not an endowment. True statesmen were they and, as such, they never confused government and God and made no attempt to mislead the people into believing that government possessed the wisdom and power of

Deity. They believed that the people should support the government and not the government the people.

Of the delegates 31 were lawyers; 39 had seen service in the Continental Congresses; 8 had served as Governors of their respective states, while others had engaged in diplomatic and military service. The average daily attendance during the 86-day session was 31 with no more than 51 ever in attendance. Recognized as the greatest lawyers in America, James Wilson of Pennsylvania, James Dickinson of Delaware and John Rutledge of South Carolina, who was later to serve as the Second Chief Justice of the Supreme Court of the United States, were all active in the debates and contributed of their study and experience as lawyers to the establishment of a sound and enduring republic.

By universal choice of the delegates, General Washington was chosen as the presiding officer of the convention after he had been nominated by Robert Morris who had done so much to aid the Cause of the Revolution financially, in the absence of Elder Statesman Benjamin Franklin, detained on account of ill health and inclement weather, to whom the honor was originally assigned.

It is interesting to note that so many comparatively young men participated in framing this document so honored and revered today and recognized as "the greatest work ever struck off at a given time by the brain and purpose of man" as stated by Mr. Gladstone. The average age of the attending delegates was 42 years, while the most influential, with the exception of General Washington and Elder Statesman Franklin, were under 40 years. Madison, who is called the Father of the Constitution, was only 36, Hamilton 30, Edmund Randolph 34 and Charles Pinckney was 29.

Gouverneur Morris, at 35, was assigned the task of writing the Constitution and its phraseology owes much to his facile pen. The Constitution alongside the Declaration of Independence is preserved unto this day in the rotunda of the Library of Congress in Washington, and it is inspiring in the highest to be permitted to look upon these original documents and recall the hardships and sacrifices our forefathers made

to preserve the rights and privileges guaranteed by them to posterity.

At the outset of the Convention, however, a serious cleavage opened between the leaders of the big and little states. This division was not primarily on the subjects of the fields of power to be granted to the central government, but rather on the apportionment among the States of taxes and representation in Congress and on the method whereby the delegated powers could be enforced. The Convention deadlocked time and again on critical questions and, at times, the delegates seemed almost ready to go home in despair. The discussions, very wisely, were all conducted in executive or secret session "so as not to disturb the public repose by premature speculation." In view of the many conflicting viewpoints and the bitterness engendered by the debates, snow-haired Benjamin Franklin, in an effort to allay such, moved that proceedings be opened daily "by imploring Heaven for divine assistance." Coming from the source it did, and being such a worthy thought, it may seem surprising that such suggestion should evoke objection, but it is reported that Hamilton, in a moment of fervor, interposed an objection on the ground that the Convention was not in need of "foreign aid."

There were three groups prominent in the discussions representing divergent views of government. There was the Nationalist group, championed by Hamilton, Madison, Wilson and Dickinson. The States' Sovereignty group was lead by Lansing and Yates of New York, who had split with Hamilton, together with Patterson and Luther Martin. This group was later joined by Mason, Gerry and Randolph, while the Conciliation group directed by Franklin was followed by Rutledge, Charles Pinckney and his cousin, Charles Cotesworth Pinckney who had occasion to suggest the motto during Jefferson's administration when American vessels were being preyed upon by French privateers when he said "Millions for defense, but not one cent for tribute."

The Constitution is the result of compromise—virtually every clause thereof. As was said in the letter of transmittal to the Congress it "is the result of a spirit of amity and

of that mutual deference and concession which the peculiarity of our political situation rendered indispensable," although no untried principle of government is incorporated therein. Its principles were doubtless discussed when the Roman lawyers met the Greek philosophers and appear in the writings of the Swiss jurist, Burlamaqui, the Dutch jurist, Grotius, the French Statesman and jurist, Montesquieu and the English scholar John Locke with whose "Treatise on Government" the founders of this republic were familiar. The delegates assembled were all imbued with the Revolutionary doctrine that "all governments derive their just powers from the consent of the governed." They likewise knew that no man, in a creative sense, ever penned the organic law of living, free government, but that such comes rather as the heritage of the ages through "toil, sweat, blood and tears."

Hamilton considered the finished document as all but worthless, but demanded its adoption to save the Union and Franklin disapproved of several points. General Washington, without whose majestic influence the Convention would have failed, saw imperfections but supported it. Mr. Jefferson, while not a member of the convention, being in France on a diplomatic mission at the time, on his return to America lent his support thereto although he "saw things which revolted him much, but was content to gain perfection step by step."

After the several compromises had been reached, a committee of detail was appointed composed of Rutledge, Randolph, Gorham, Ellsworth and Wilson and reported on August 6th, within the ten-day period granted it. The report of this committee was debated until September 10th, when a committee on style and arrangement was selected and which reported on the 15th of September. The work of the Convention was nearly done. It assembled for the last time on Monday, September 17th and the engrossed Constitution was read. In order to disguise the fact that some of the delegates present were unwilling to sign the instrument, Gouverneur Morris devised a form that made action appear to be unanimous which was "Done in Convention by the unanimous con-

sent of the States present on the 17th day of September. * * * In witness whereof we have hereunto subscribed our names." Hoping for a more favorable reception of his proposal, Morris persuaded Franklin, the venerable old philosopher, statesman and diplomat to present the suggested form which was adopted.

When General Washington arose to put the question of the adoption of the engrossed Constitution he said that while recognizing the impropriety of speaking from the chair, he felt that the amendment which had just been offered by Mr. Gorham of Massachusetts seeking to change the ratio of representation in the lower House from one for every 40,000 to one for every 30,000 inhabitants, was of so much consequence that "he could not forbear expressing his wish that the alteration proposed might take place." Without a single objection, no doubt as a tribute to him, the change was ordered and the Constitution was then signed by all those present except Randolph, Gerry and Mason, whereupon the Convention adjourned sine die. This was the only occasion upon which General Washington spoke during the Convention, other than as the presiding officer, although his views were well known and his influence felt more than once in crucial moments.

Once adopted and ratified the Constitution succeeded beyond the hopes of its most ardent supporters. New Hampshire's ratification on June 21, 1788, completed the quota of States necessary to put it into effect and shortly thereafter the Congress of the Confederation took the necessary steps to launch the new government and to prepare for its own demise. On the evening of March 3, 1789, the big guns on the New York Battery fired a parting salute to the old Confederacy and on the following day the new Union was ushered in with the booming of cannon and the ringing of bells.

It was John Marshall, the third Chief Justice of the Supreme Court of the United States, who gave life to the Constitution and buttressed the foundation of a strong national government during his thirty-four-year tenure.

A short resume of the Constitution shows the embodiment of the Montesquieu tripartite which de-

manded the absolute separation of the legislative, executive and judicial powers. Mark it, however, as Governor Stevenson said in his address to the Joint Session of the Legislature on the 9th day of this month, this separation of powers does not prohibit co-operation between departments or among the departments of government. The Constitution is divided into Seven Articles, the first of which relates to the legislative department and enumerates the powers of the national government, while the second and third articles deal with the executive and judicial branches of the government, respectively. The fourth article pertains to the relationship between the Federal and state governments and territorial matters, while article five describes the method of amendment. Article six defines the supreme law of the land, recognizes the validity of prior debts and provides that Federal and state officers shall be bound by oath to support the Constitution and forbids religious tests as a qualification for any office or public trust, while the last article provides for the ratification by the states.

It is provided in article five that "No state, without its consent, shall be deprived of its equal suffrage in the Senate" which makes this clause the only part of the Constitution which, as a practical matter, cannot be amended.

There are 21 amendments, the first ten of which constitute the Bill of Rights, whose absence from the original document was so generally deplored and which were adopted almost simultaneously with the Constitution itself. The 11th amendment adopted in 1798 limited the power of the Federal courts while the 12th amendment related to the regulation of the electoral college. From 1803 to 1865 there were no amendments but in this latter year the 13th, abolishing slavery, was adopted, followed in 1868 by the 14th amendment guaranteeing equal protection of the laws to all persons, and the 15th amendment in 1870 providing that suffrage should not be denied because of race, color or previous condition of servitude. These three amendments came in quick succession upon the wave of reconstruction frenzy. The 16th amendment came 43 years later to

permit the taxation of income and the same year, 1913, saw the 17th amendment which provided for the election of Senators by direct vote of the people—they having been previously elected by the legislatures of the respective states. The prohibition amendment was next in order, followed by the 19th amendment granting the right of suffrage to women. The 20th amendment, fixing the terms of office of the President and Vice-President and providing for the time the Congress should assemble, was adopted in 1933 as was the 21st amendment which repealed the 18th amendment to the Constitution, which is the only amendment ever to be repealed.

A discussion of only a very few of the high lights in the history of our national charter of government has been attempted on this occasion, but perhaps a deeper and stronger interest may be awakened in the history of the same. The examples set by our revolutionary fathers have never been improved upon and so long as we emulate and cherish the history they made, so long as we glory in the inheritance of their blood and preserve the traditions of their valor in war and their virtues in peace, so long will America be the shrine of patriotism and the citadel of liberty.

It should be the object of every loyal American citizen to keep the fires which were kindled by Washington and his fellow patriots forever burning upon the altars of our hearts, not forgetting the women who suffered in that dark day and who were as truly heroic as their husbands and in their self-sacrifice, their modesty, their devotion to home and their efforts to make it a veritable paradise for the men who fought the battles and tilled the fields, they thus bequeathed a magnificent example to their daughters. Upon the foundations which our forefathers built and cemented with their blood and tears, our great republic has been established and in order to perpetuate its blessings we must maintain the sacredness of home and the purity of public office. We must be true to our history by remaining true to our heroes who gave us our Constitution for a nation without heroes is a nation without history and a nation without history is a nation without patriotism and

will fall. The spirit of America is embodied in the words of the poet who wrote:

"Aye! tear the wrinkled parchment down!

Has it not held a place

Close to the human hearts that throb

In breast of noble race?

For it recites those principles

Of freedom for mankind

On which our Nation great has thrived

And whereby States we bind.

Hold! there are those among us who

Say God's hand held the pen

That wrote that sacred document

And guided those wise men.

Aye! millions now arise in might

Who will not be denied;

'The Constitution, hope of all,

Shall not be crucified!'"

Mr. Leonard then presented Hon. W. R. Chambers, speaking as follows:

The father of the idea of holding this program in observance of Constitution Day is your colleague, the Honorable W. R. Chambers. It is significant that the suggestion should come from him. Himself a teacher for 15 years, in the period before, during and after those teaching years he has been always an omniverous reader, a deep student. It is to be expected that out of his wide studies there should come in his sound and solid thinking a high regard for the organic law of our land. Highly regarded here in the House by you and all the others with whom he has served, lovable and loved, in order that he may present the Governor of Texas, I give you now the Gentleman from Brown, the Honorable W. R. Chambers.

Mr. Chambers presented Hon. Coke Stevenson, speaking as follows:

Mr. Speaker, Members of the Courts, Members of the 47th Legislature, Ladies and Gentlemen:

We observe Constitution Day for the purpose of calling the people's attention to the importance of these documents, both State and Federal.

We want to impress the people that the State and Federal Constitutions are not documents to be filed away in the archives of forgotten

papers, but that they are living and are as necessary today for the happiness and liberty of our people as they were the day they were written. They are the anchor which holds us to the great and unchanging principles of government. Many nations of the past have perished by the people acting upon the impulse of the moment.

No government can long succeed if founded upon a false premise. Nor can a government long endure regardless of its form if those who administer its affairs are incompetent or vicious.

The people of the Nation and this State in this critical hour are extremely fortunate. With leadership that now heads our State and Nation we have nothing to fear.

Governor Stevenson is not a leader of men by accident but he has qualified himself by years of careful study and research.

As a Representative, as Speaker of this House, as Lieutenant Governor, as Governor of Texas, Coke Stevenson has proven himself a statesman of ability.

He has met every test of a gentleman and where he leads we are safe to follow.

Ladies and gentlemen, it is my pleasure to introduce His Excellency, the Governor, Hon. Coke Stevenson.

Mr. Stevenson addressed the House and the assemblage, as follows:

Mr. Speaker, Mr. Chambers, Members of the Judiciary and ladies and gentlemen of the House:

May I express my appreciation to my good friend, Homer Leonard, your able and efficient Speaker, for his kind remarks. To my good friend, Bill Chambers, I extend my heartfelt thanks for his flattering introduction. Mr. Chambers ably represents not only the one hundred and twenty-fifth district but the plain, honest and upright citizens of all Texas, no matter in what part of the State they may be found.

You have heard a most eloquent and instructive address on the history of the Federal Constitution, delivered by your colleague and my good friend from San Angelo, Honorable Dorsey Hardeman. Mr. Hardeman has reviewed the painstaking care and brilliant effort with which our forefathers prepared this immortal document.

The subject assigned me today is "Operation of Government under the Constitution." This is a subject with which we need to concern ourselves in these days when we see other governments groping in confusion simply because of a lack of rigid adherence to organic law. Our government has remained strong because we Americans believe that government ought to be operated in accordance with constitutional provisions.

The constitution is an anchor which holds the ship of state to a steady course when it is buffeted by the waves of popular opinions. Statutory enactments change with every whim of the public. Legislatures are prone to be obedient to popular demand. Sometimes this demand is the result of propaganda spread by special interests. Sometimes it is actuated by prejudice. Sometimes it is swayed by the crusader who believes his mission in life is to change the current of public thought. Constitutional provisions prevent the pendulum from swinging too far.

You will remember the classic story of Edgar Allen Poe in which the pendulum suspended from a considerable height held in its swinging grasp a sharpened knife. The victim was placed upon the floor. The pendulum had a hinged device which lowered it slightly with each movement from right to left. The victim lay and watched the knife as it swayed back and forth over his prostrate form, and every movement brought the knife closer and closer to his vitals. In a matter of hours the swish of the blade on his naked skin foretold the horrible result when a few more swings would cut out his heart.

This is a graphic illustration but it is one, nevertheless, which points unerringly to the result of statutory enactments which do violence to the constitution. Each swing of the pendulum in that direction brings the knife, sharpened by unwise legislation, closer and closer to the vitals of democratic government.

This government of ours was instituted by our forefathers for certain specific purposes. History records a period of fourteen years in which the founders of this government were struggling to establish it. Seven of these years, from 1775 to 1782, were occupied by the American

Revolution, a military struggle in which the patriots of this country resorted to arms rather than submit to the oppression of a dictator.

Under the leadership of George Washington they fought with particular determination. The entire struggle revolved around the untiring energy and skilful purpose of Washington. These qualities, however, were imparted to his officers and men in sufficient degree to inspire them with a heroism and a patriotism which finally achieved a glorious victory for freedom.

Following the termination of the war came seven years of experiments with government. These were the years from 1782 to the inauguration of Washington as the first president in 1789. During these years many theories of government were advanced. Conditions became chaotic and turbulent because none of the experiments proved workable. Washington himself became alarmed at the apparent inability of the people to govern themselves. He expressed the fear that the liberty won by seven years of bloodshed and sacrifice would be lost if the people did not establish a stable form of government.

These suggestions finally bore fruit and the convention which met in 1787 gave to the world a written constitution of approximately four thousand words and to which in a short while was added the first ten amendments. This document is the charter of our government.

When it was ratified by nine of the thirteen colonies it became effective, and under it the people have operated a government through all the vicissitudes of one hundred and fifty years. War and drouth and pestilence have made the people restless. Under the chastening hand of misfortune certain groups of our people have from time to time lashed at the courts' interpretation of the constitution and even assualted the foundation upon which it endures. Government has been maintained, however, because in times of stress the constitutional provisions could not be legally violated and this in turn has preserved the very structure of government.

Government has been able to operate under the constitution because its written provisions have restrained the exercise of power. Its provisions

constitute a barrier which protects the people's rights. It is somewhat like the stockade on the frontier where the people sought refuge when their freedom was threatened. People of all types and shades of opinion accepted the shelter of the stockade. People of all types and shades of opinion have been protected by the shelter of the constitution.

Washington set an example for the operation of government under the constitution when he placed Alexander Hamilton and Thomas Jefferson side by side. Hamilton was the advocate of a strong central government. Jefferson was the advocate of the most unrestricted freedom of the individual in the government.

Hamilton, however, had abilities which could function within the constitutional provisions. He was a genius for financial administration. He conducted the affairs of the Treasury Department with such skill and ability that Daniel Webster pronounced in his funeral oration, "He smote the rock of national resources and abundant streams of revenue burst forth. He touched the dead corpse of public credit and it sprang upon its feet."

The achievements of Thomas Jefferson were so many and of such magnitude that his election to the Presidency of the United States was not considered by him to be the foremost. When he wrote his own epitaph he mentioned three services which he had performed for mankind that in his judgment outranked his achievements as the third president. His motto was: Resistance to tyrants is obedience to God."

Jefferson was a skilful operator of government under the constitution. Those of us today who would become useful public servants, under the constitution, need only to be students of Jefferson's philosophy and practitioners of Jefferson's precepts. Jefferson stands in history for Republican Government and the sovereignty of the people; universal education; separation of Church and State; freedom of thought and speech; freedom of the press; local self government; political equality and universal suffrage; strict construction of the Constitution; opposition to special privilege of every kind; opposition to bounties and monopolies; opposition to nepotism in office. These principles constitute a high standard by

which to measure our own concepts of government.

The goal to be attained is not so difficult if we keep in mind the six objectives of government. These objectives were expressed by our forefathers in language simple and easy of understanding. They represent the result of years of study and four months intense deliberation. The structure of all preceding governments had been analyzed, examined and debated. The requisites which were deemed worthy of preservation were reduced to six fundamental objects.

They are: In order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessing of liberty to ourselves and our posterity. We have only to look about us today to discern the wisdom then of minds which almost had the gift of prophecy.

The first objective was to form a union. The original thirteen colonies were each separate and independent in every respect. If they had remained so, they would have been the easy prey of any unscrupulous conqueror who might secure the ascendancy of arms. There is a spectacle in Europe today of one small country after another being overrun by the dictator's lust for power and ground under the despot's heel. These are striking examples of what could have happened and what probably would have happened here if there had been no union of the colonies into one central government.

The second objective is one that strikes a responsive chord in the breast of every fair minded citizen, to establish justice. There is no nobler attribute of the human soul than the desire to be just and upright. It is the first ingredient of honesty and integrity. Without these virtues no government can hope to survive.

The third object was to insure domestic tranquility. Tranquility means peace and to be at peace is another natural instinct of the righteous man. There had been discord and confusion, hysteria and downright jealousy among the several colonies in their relation to each other. The new government must quiet the discordant factions. It

should have a peaceful atmosphere in which to function. It must insure domestic tranquility.

The fourth objective was provision for the common defense. The present emergency illustrates the necessity of providing for the common defense. If we should remain unprepared and defenseless, we would present the most appetizing spoil which any dictator could ever set his heart upon. The wealth of America, her natural resources, her factories, her conveniences and high standards of living are all targets which attract the cupidity of unscrupulous men like Hitler and Mussolini. We must utilize the power and authority conferred upon the government to provide for the common defense. No dictator must ever be permitted to set his hostile foot upon the shores of America.

The fifth object was to promote the general welfare. More use perhaps has been made of this objective than of any other. Under the authority of this provision the benefits of schools, colleges, universities, highways, bridges and all forms of social security have been added to cultural and spiritual influences of home and church throughout the nation.

The proper use and adaptation of the five objectives which I have just enumerated is a guarantee of the continued existence of the sixth object which is to secure the blessings of liberty to ourselves and our posterity. How important this is now when we behold the threats to our liberties arising from the war clouds of Europe. The situation has been correctly stated by the President of this Nation. He is our Commander-in-Chief. His statement needs no elaboration by me. We as Texans are going to follow our Commander-in-Chief in doing what he believes to be best to insure the blessings of liberty to ourselves and our posterity.

We believe that he will operate within the provisions of the constitution, a constitution which is the survivor of more than three hundred written constitutions which have been given to the world. The others failed because the rulers of the people did not operate the government within the constitutional boundaries. So long as our people jealously observe the safeguards of our constitution we may expect government of

the people to survive. So long as our people prohibit the rulers of this nation from removing the ancient landmarks of our fathers, we may expect government to be a blessing to every citizen.

(On motion of Mr. Isaacks the above proceedings were ordered printed in the Journal.)

HOUSE BILL NO. 34 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 34, A bill to be entitled "An Act granting permission to W. F. Masterson, and wife, Dora Masterson, to file and prosecute suit against the State of Texas and the State Highway Commission to ascertain and fix the amount, if any, due said W. F. Masterson and wife, Dora Masterson, for damages and compensation sustained by them by reason of the State of Texas and the State Highway Department bringing suit and compelling them to take up and remove the concrete sidewalk, pillars and awning and underground tanks and pipe lines and gasoline pumps from the 10 foot sidewalk abutting their property, lots 17 and 18 in block 7 in the G. C. & S. F. R.R. Co. Addition to the Town of Cresson, Texas, and the compensation, if any, to which said W. F. Masterson and wife, Dora Masterson, may be entitled by reason of the State of Texas and the State Highway Department compelling them to remove their said improvements from the sidewalk along Logan Street in Cresson, Texas, and permitting the rendition of judgment for such damages and compensation, if any, as may be ascertained by such suit; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 34 ON THIRD READING

Mr. Allison moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 34 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Humphrey
Alsup	Hutchinson
Avant	Isaacks
Bailey	Jones
Baker	Kelly
Bean	Kennedy
Bell	Kersey
Benton	Kinard
Blankenship	Klingeman
Boone	Knight
Bray	Lehman
Bridgers	Little
Brown	Lock
Bullock	Love
Bundy	Lowry
Burkett	Lucas
Burnaman	Lyle
Carrington	McAlister
Cato	McCann
Chambers	McDonald
Clark	McGlasson
Cleveland	McMurry
Coker	Manford
Connelly	Manning
Crossley	Markle
Crosthwait	Martin
Daniel	Matthews
Davis	Mills
Dickson of Bexar	Montgomery
Donald	Moore
Dove	Morris
Duckett	Morse
Ellis	Murray
Eubank	Parker
Evans	Pevehouse
Ferguson	Phillips
Files	Price
Fuchs	Reed of Bowie
Gandy	Reed of Dallas
Garland	Rhodes
Gilmer	Ridgeway
Halsey	Roark
Hanna	Roberts
Hargis	Sallas
Harris of Dallas	Senterfitt
Harris of Hill	Sharpe
Hartzog	Shell
Heflin	Simpson
Helpinstill	Smith of Bastrop
Henderson	Spacek
Hileman	Spangler
Hobbs	Stanford
Howard	Stinson
Howington	Stubbs
Hoyo	Vale
Huddleston	Voigt
Huffman	Weatherford
Hughes	Wattner

White Winfree
Whitesides

Present—Not Voting

Brawner McLellan
Craig McNamara
Favors Morgan
Hardeman Rampy
Lansberry

Absent

Allen Leyendecker
Bruhl Nicholson
Celaya Pace
Deen Thornton
Dwyer Walters
King Williamson

Absent—Excused

Carlton Goodman
Colson, Mrs. Green
Dickson of Nolan Smith of Atascosa
Fitzgerald Taylor

The Speaker then laid House Bill No. 34 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison Dove
Alsup Duckett
Avant Ellis
Bailey Eubank
Baker Evans
Bean Ferguson
Bell Files
Benton Fuchs
Blankenship Gandy
Boone Garland
Bray Gilmer
Bridgers Halsey
Brown Hanna
Bullock Hargis
Bundy Harris of Dallas
Burkett Harris of Hill
Burnaman Hartzog
Carrington Heflin
Cato Helpinstill
Chambers Henderson
Clark Hileman
Cleveland Hobbs
Coker Howard
Connelly Howington
Crossley Hoyo
Crosthwait Huddleston
Daniel Huffman
Davis Hughes
Dickson of Bexar Humphrey
Donald Hutchinson

Isaacks Murray
Jones Parker
Kelly Pevehouse
Kennedy Phillips
Kersey Price
Kinard Reed of Bowie
Klingeman Reed of Dallas
Knight Rhodes
Lehman Ridgeway
Little Roark
Lock Roberts
Love Sallas
Lowry Senterfitt
Lucas Sharpe
Lyle Shell
McAlister Simpson
McCann Smith of Bastrop
McDonald Spacek
McGlasson Spangler
McMurry Stanford
Manford Stinson
Manning Stubbs
Markle Vale
Martin Voigt
Matthews Wattner
Mills Weatherford
Montgomery White
Moore Whitesides
Morris Winfree
Morse

Present—Not Voting

Brawner McLellan
Craig McNamara
Favors Morgan
Hardeman Rampy
Lansberry

Absent

Allen Leyendecker
Bruhl Nicholson
Celaya Pace
Deen Thornton
Dwyer Walters
King Williamson

Absent—Excused

Carlton Goodman
Colson, Mrs. Green
Dickson of Nolan Smith of Atascosa
Fitzgerald Taylor

HOUSE BILL NO. 36 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 36, A bill to be entitled "An Act to reorganize the Thirtieth, Ninetieth, and Ninety-seventh Judicial Districts of the State of Texas;

providing for holding the District Courts and terms in said Judicial Districts respectively; providing that all process and writs heretofore issued, and that all recognizances and bonds heretofore made and executed and returnable to existing terms of District Courts in the counties composing said districts, together with jurors heretofore selected, are valid and returnable to the first term of such Court after this Act takes effect; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 36 ON THIRD READING

Mr. McMurry moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 36 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Duckett
Alsup	Ellis
Avant	Eubank
Bailey	Evans
Baker	Ferguson
Bean	Files
Bell	Fuchs
Benton	Gandy
Blankenship	Garland
Boone	Gilmer
Bray	Halsey
Bridgers	Hanna
Brown	Hargis
Bullock	Harris of Dallas
Bundy	Harris of Hill
Burkett	Hartzog
Burnaman	Heflin
Carrington	Helpinstill
Cato	Henderson
Chambers	Hileman
Clark	Hobbs
Cleveland	Howard
Coker	Howington
Connelly	Hoyo
Crossley	Huddleston
Crosthwait	Huffman
Daniel	Hughes
Davis	Humphrey
Dickson of Bexar	Hutchinson
Donald	Isaacks
Dove	Jones

Kelly	Parker
Kennedy	Pevehouse
Kersey	Phillips
Kinard	Price
Klingeman	Reed of Bowie
Knight	Reed of Dallas
Lehman	Rhodes
Little	Ridgeway
Lock	Roark
Love	Roberts
Lowry	Sallas
Lucas	Senterfitt
Lyle	Sharpe
McAlister	Shefl
McCann	Simpson
McDonald	Smith of Bastrop
McGlasson	Spacek
McMurry	Spangler
Manford	Stanford
Manning	Stinson
Markle	Stubbs
Martin	Vale
Matthews	Voigt
Mills	Wattner
Montgomery	Weatherford
Moore	White
Morris	Whitesides
Morse	Winfree
Murray	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid House Bill No. 36 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Bailey
Alsup	Baker
Avant	Bean

Bell	Kennedy
Benton	Kersey
Blankenship	Kinard
Boone	Klingeman
Bray	Knight
Bridgers	Lehman
Brown	Little
Bullock	Lock
Bundy	Love
Burkett	Lowry
Burnaman	Lucas
Carrington	Lyle
Cato	McAlister
Chambers	McCann
Clark	McDonald
Cleveland	McGlasson
Coker	McMurry
Connelly	Manford
Crossley	Manning
Crosthwait	Markle
Daniel	Martin
Davis	Matthews
Dickson of Bexar	Mills
Donald	Montgomery
Dove	Moore
Duckett	Morris
Ellis	Morse
Eubank	Murray
Evans	Parker
Ferguson	Pevehouse
Files	Phillips
Fuchs	Price
Gandy	Reed of Bowie
Garland	Reed of Dallas
Gilmer	Rhodes
Halsey	Ridgeway
Hanna	Roark
Hargis	Roberts
Harris of Dallas	Sallas
Harris of Hill	Senterfitt
Hartzog	Sharpe
Heflin	Shell
Helpinstill	Simpson
Henderson	Smith of Bastrop
Hileman	Spacek
Hobbs	Spangler
Howard	Stanford
Howington	Stinson
Hoyo	Stubbs
Huddleston	Vale
Huffman	Voigt
Hughes	Wattner
Humphrey	Weatherford
Hutchinson	White
Isaacks	Whitesides
Jones	Winfree
Kelly	

Present—Not Voting

Brawner	Hardeman
Craig	Lansberry
Favors	McLellan

McNamara	Rampy
Morgan	
	Absent
Allen	Leyendecker
Bruhl	Nicholson
Celáya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson
	Absent—Excused
Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 39 ON
SECOND READING

Mr. McCann moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 39 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Ellis
Alsup	Eubank
Avant	Evans
Bailey	Ferguson
Baker	Files
Bean	Fuchs
Bell	Gandy
Benton	Garland
Blankenship	Gilmer
Boone	Halsey
Bridgers	Hanna
Brown	Hargis
Bullock	Harris of Dallas
Bundy	Harris of Hill
Burkett	Hartzog
Burnaman	Heflin
Carrington	Helpinstill
Cato	Henderson
Chambers	Hileman
Clark	Hobbs
Cleveland	Howard
Coker	Howington
Connelly	Hoyo
Crossley	Huddleston
Crosthwait	Huffman
Daniel	Hughes
Davis	Humphrey
Dickson of Bexar	Hutchinson
Donald	Isaacks
Dove	Jones
Duckett	Kelly

Kennedy	Parker
Kersey	Pevehouse
Kinard	Phillips
Klingeman	Price
Knight	Reed of Bowie
Lehman	Reed of Dallas
Little	Rhodes
Lock	Ridgeway
Love	Roark
Lowry	Roberts
Lucas	Sallas
Lyle	Senterfitt
McAlister	Sharpe
McCann	Shell
McDonald	Simpson
McGlasson	Smith of Bastrop
McMurry	Spacek
Manford	Spangler
Manning	Stanford
Markle	Stinson
Martin	Stubbs
Matthews	Vale
Mills	Voigt
Montgomery	Wattner
Moore	Weatherford
Morris	White
Morse	Whitesides
Murray	Winfree

Present—Not Voting

Brawner	Lansberry
Bray	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 39, A bill to be entitled "An Act prohibiting the killing of deer in Harrison and Marion Counties for a period of five (5) years, ending November 16, 1946."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 39 ON
THIRD READING

The Speaker then laid House Bill No. 39 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Howington
Alsup	Hoyo
Avant	Huddleston
Bailey	Huffman
Baker	Hughes
Bean	Humphrey
Bell	Hutchinson
Benton	Isaacks
Blankenship	Jones
Boone	Kelly
Bridgers	Kennedy
Brown	Kersey
Bullock	Kinard
Bundy	Klingeman
Burkett	Knight
Burnaman	Lehman
Carrington	Little
Cato	Lock
Chambers	Love
Clark	Lowry
Cleveland	Lucas
Coker	Lyle
Connelly	McAlister
Crossley	McCann
Crosthwait	McDonald
Daniel	McGlasson
Davis	McMurry
Dickson of Bexar	Manford
Donald	Manning
Dove	Markle
Duckett	Martin
Ellis	Matthews
Eubank	Mills
Evans	Montgomery
Ferguson	Moore
Files	Morris
Fuchs	Morse
Gandy	Murray
Garland	Parker
Gilmer	Pevehouse
Halsey	Phillips
Hanna	Price
Hargis	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Hill	Rhodes
Hartzog	Ridgeway
Heflin	Roark
Helpinstill	Roberts
Henderson	Sallas
Hileman	Senterfitt
Hobbs	Sharpe
Howard	Shell

Simpson	Vale
Smith of Bastrop	Voigt
Spacek	Wattner
Spangler	Weatherford
Stanford	White
Stinson	Whitesides
Stubbs	Winfree

Present—Not Voting

Brawner	Lansberry
Bray	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 41 ON
SECOND READING

Mr. Klingeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 41 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Cleveland
Alsup	Coker
Avant	Connelly
Bailey	Crossley
Baker	Crothwait
Bean	Daniel
Bell	Davis
Benton	Dickson of Bexar
Blankenship	Donald
Boone	Dove
Bray	Duckett
Bridgers	Ellis
Brown	Eubank
Bullock	Evans
Bundy	Ferguson
Burkett	Files
Burnaman	Fuchs
Carrington	Gandy
Cato	Garland
Chambers	Gilmer
Clark	Halsey

Hanna
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Huffman
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
Kinard
Klingeman
Knight
Lehman
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McMurry
Manford

Manning
Markle
Martin
Matthews
Mills
Montgomery
Moore
Morris
Morse
Murray
Parker
Pevehouse
Phillips
Price
Reed of Bowie
Reed of Dallas
Rhodes
Ridgeway
Roark
Roberts
Sallas
Senterfitt
Sharpe
Shell
Simpson
Smith of Bastrop
Spacek
Spangler
Stanford
Stinson
Stubbs
Vale
Voigt
Wattner
Weatherford
White
Whitesides
Winfree

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 41, A bill to be entitled "An Act creating a Special Road Law for Karnes County, Texas; authorizing the Commissioners Court of said County to issue funding bonds and/or funding warrants for the purpose of funding outstanding scrip warrants and/or time warrants issued against the road and bridge fund of said county; providing that it shall not be necessary to give notice of intention to issue such funding bonds and/or time warrants or to submit the question to an election; validating such scrip and time warrants; providing the method of issuing same and providing they shall not bear more than 5% interest per annum; providing that the Commissioners Court shall levy a tax sufficient to pay the interest thereon and the principal thereof as they respectively mature; making the general laws pertaining to roads and bridges applicable to Karnes County when not in conflict with the provisions of this Act; providing that the provisions of this Act shall be effective in case of conflict with any general or special law; providing that if any portion of this Act shall be held invalid such holding shall not affect the other portions thereof; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 41 ON THIRD READING

The Speaker then laid House Bill No. 41 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Burkett
Alsup	Burnaman
Avant	Carrington
Bailey	Cato
Baker	Chambers
Bean	Clark
Bell	Cleveland
Benton	Coker
Blankenship	Connelly
Boone	Crossley
Bray	Crothwait
Bridgers	Daniel
Brown	Davis
Bullock	Dickson of Bexar
Bundy	Donald

Dove	McAlister
Duckett	McCann
Ellis	McDonald
Eubank	McGlasson
Evans	McMurry
Ferguson	Manford
Files	Manning
Fuchs	Markle
Gandy	Martin
Garland	Matthews
Gilmer	Mills
Halsey	Montgomery
Hanna	Moore
Hargis	Morris
Harris of Dallas	Morse
Harris of Hill	Murray
Hartzog	Parker
Heflin	Pevehouse
Helpinstill	Phillips
Henderson	Price
Hileman	Reed of Bowie
Hobbs	Reed of Dallas
Howard	Rhodes
Howington	Ridgeway
Hoyo	Roark
Huddleston	Roberts
Huffman	Sallas
Hughes	Senterfitt
Humphrey	Sharpe
Hutchinson	Shell
Isaacks	Simpson
Jones	Smith of Bastrop
Kelly	Spacek
Kennedy	Spangler
Kersey	Stanford
Kinard	Stinson
Klingeman	Stubbs
Knight	Vale
Lehman	Voigt
Little	Wattner
Lock	Weatherford
Love	White
Lowry	Whitesides
Lucas	Winfree
Lyle	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Colson, Mrs.
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Dickson of Nolan Green
Fitzgerald Smith of Atascosa
Goodman Taylor

**HOUSE BILL NO. 42 ON
SECOND READING**

Mr. Carrington moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 42 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Harris of Hill
Alsup	Hartzog
Avant	Heflin
Bailey	Helpinstill
Baker	Henderson
Bean	Hileman
Bell	Hobbs
Benton	Howard
Blankenship	Howington
Boone	Hoyo
Bray	Huddleston
Bridgers	Huffman
Brown	Hughes
Bullock	Humphrey
Bundy	Hutchinson
Burkett	Isaacks
Burnaman	Jones
Carrington	Kelly
Cato	Kennedy
Chambers	Kersey
Clark	Kinard
Cleveland	Klingeman
Coker	Knight
Connelly	Lehman
Crossley	Little
Crosthwait	Lock
Daniel	Love
Davis	Lowry
Dickson of Bexar	Lucas
Donald	Lyle
Dove	McAlister
Duckett	McCann
Ellis	McDonald
Eubank	McGlasson
Evans	McMurry
Ferguson	Manford
Files	Manning
Fuchs	Markle
Gandy	Martin
Garland	Matthews
Gilmer	Mills
Halsey	Montgomery
Hanna	Moore
Hargis	Morris
Harris of Dallas	Morse

Murray	Simpson
Parker	Smith of Bastrop
Pevehouse	Spacek
Phillips	Spangler
Price	Stanford
Reed of Bowie	Stinson
Reed of Dallas	Stubbs
Rhodes	Vale
Ridgeway	Voigt
Roark	Wattner
Roberts	Weatherford
Sallas	White
Senterfitt	Whitesides
Sharpe	Winfree
Shell	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 42, A bill to be entitled "An Act granting to the City of Austin, Texas, the right to establish, erect, operate and maintain, separately or in conjunction with the United States Government or any of its agencies, particularly such agencies as may be a part of the National Defense Program, a Public Assembly Hall and Recreation Center upon the tract of land bounded on the north by Fifth Street, on the south by Fourth Street, on the east by Guadalupe Street, and on the west by San Antonio Street, in the City of Austin; and changing the designation upon the map of the City of Austin of said tract from "Public Square" to "Public Assembly Hall and Recreation Square," so as to grant to the City of Austin for fifty (50) years the said land for a Public Assembly Hall and Recreation Center; and retaining title in the

State of Texas; repealing all laws or parts of laws conflicting herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 42 ON THIRD READING

The Speaker then laid House Bill No. 42 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Heflin
Alsup	Helpinstill
Avant	Henderson
Bailey	Hileman
Baker	Hobbs
Bean	Howard
Bell	Howington
Benton	Hoyo
Blankenship	Huddleston
Boone	Huffman
Bray	Hughes
Bridgers	Humphrey
Brown	Hutchinson
Bullock	Isaacks
Bundy	Jones
Burkett	Kelly
Burnaman	Kennedy
Carrington	Kersey
Cato	Kinard
Chambers	Klingeman
Clark	Knight
Cleveland	Lehman
Coker	Little
Connelly	Lock
Crossley	Love
Crosthwait	Lowry
Daniel	Lucas
Davis	Lyle
Dickson of Bexar	McAlister
Donald	McCann
Dove	McDonald
Duckett	McGlasson
Ellis	McMurry
Eubank	Manford
Evans	Manning
Ferguson	Markle
Files	Martin
Fuchs	Matthews
Gandy	Mills
Garland	Montgomery
Gilmer	Moore
Halsey	Morris
Hanna	Morse
Hargis	Murray
Harris of Dallas	Parker
Harris of Hill	Pevehouse
Hartzog	Phillips

Price
Reed of Bowie
Reed of Dallas
Rhodes
Ridgeway
Roark
Roberts
Sallas
Senterfitt
Sharpe
Shell
Simpson
Smith of Bastrop

Spacek
Spangler
Stanford
Stinson
Stubbs
Vale
Voigt
Wattner
Weatherford
White
Whitesides
Winfree

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 43 ON SECOND READING

Mr. Harris of Hill moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 43 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Burkett
Alsup	Burnaman
Avant	Carrington
Bailey	Cato
Baker	Chambers
Bean	Clark
Bell	Cleveland
Benton	Coker
Blankenship	Connelly
Boone	Crossley
Bray	Crosthwait
Bridgers	Daniel
Brown	Davis
Bullock	Dickson of Bexar
Bundy	Donald

Dove	McAlister
Duckett	McCann
Ellis	McDonald
Eubank	McGlasson
Evans	McMurry
Ferguson	Manford
Files	Manning
Fuchs	Markle
Gandy	Martin
Garland	Matthews
Gilmer	Mills
Halsey	Montgomery
Hanna	Moore
Hargis	Morris
Harris of Dallas	Morse
Harris of Hill	Murray
Hartzog	Parker
Heflin	Pevehouse
Helpinstill	Phillips
Henderson	Price
Hileman	Reed of Bowie
Hobbs	Reed of Dallas
Howard	Rhodes
Howington	Ridgeway
Hoyo	Roark
Huddleston	Roberts
Huffman	Sallas
Hughes	Senterfitt
Humphrey	Sharpe
Hutchinson	Shell
Isaacks	Simpson
Jones	Smith of Bastrop
Kelly	Spacek
Kennedy	Spangler
Kersey	Stanford
Kinard	Stinson
Klingeman	Stubbs
Knight	Vale
Lehman	Voigt
Little	Wattner
Lock	Weatherford
Love	White
Lowry	Whitesides
Lucas	Winfree
Lyle	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Dickson of Nolan
Colson, Mrs.	Fitzgerald

Goodman	Smith of Atascosa
Green	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 43, A bill to be entitled "An Act regulating the official ballot and requiring the county committee to print a minimum of four official ballots for each county for primary elections, otherwise as pursuant to Article 3109, Revised Civil Statutes of Texas, differing only with respect to the office of county commissioner; providing for the furnishing of same to election officials corresponding to commissioners' precincts and requiring such officials to determine in which commissioner's precinct a voter resides before furnishing him with a ballot; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 43 ON
THIRD READING

The Speaker then laid House Bill No. 43 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Davis
Alsup	Dickson of Bexar
Avant	Donald
Bailey	Dove
Baker	Duckett
Bean	Ellis
Bell	Eubank
Benton	Evans
Blankenship	Ferguson
Boone	Files
Bray	Fuchs
Bridgers	Gandy
Brown	Garland
Bullock	Gilmer
Bundy	Halsey
Burkett	Hanna
Burnaman	Hargis
Carrington	Harris of Dallas
Cato	Harris of Hill
Chambers	Hartzog
Clark	Heflin
Cleveland	Helpinstill
Coker	Henderson
Connelly	Hileman
Crossley	Hobbs
Crosthwait	Howard
Daniel	Howington

Hoyo	Moore
Huddleston	Morris
Huffman	Morse
Hughes	Murray
Humphrey	Parker
Hutchinson	Pevehouse
Isaacks	Phillips
Jones	Price
Kelly	Reed of Bowie
Kennedy	Reed of Dallas
Kersey	Rhodes
Kinard	Ridgeway
Klingeman	Roark
Knight	Roberts
Lehman	Sallas
Little	Senterfitt
Lock	Sharpe
Love	Shell
Lowry	Simpson
Lucas	Smith of Bastrop
Lyle	Spacek
McAlister	Spangler
McCann	Stanford
McDonald	Stinson
McGlasson	Stubbs
McMurry	Vale
Manford	Voigt
Manning	Wattner
Markle	Weatherford
Martin	White
Matthews	Whitesides
Mills	Winfree
Montgomery	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 44 ON
SECOND READING

Mr. McAlister moved that the Constitutional Rule requiring bills to be read an three several days be suspended and that House Bill No. 44 be placed on its second reading and

passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Huffman
Alsup	Hughes
Avant	Humphrey
Bailey	Hutchinson
Baker	Isaacks
Bean	Jones
Bell	Kelly
Benton	Kennedy
Blankenship	Kersey
Boone	Kinard
Bray	Klingeman
Bridgers	Knight
Brown	Lehman
Bullock	Little
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carrington	Lucas
Cato	Lyle
Chambers	McAlister
Clark	McCann
Cleveland	McDonald
Coker	McGlasson
Connelly	McMurry
Crossley	Manford
Crothwait	Manning
Daniel	Markle
Davis	Martin
Dickson of Bexar	Matthews
Donald	Mills
Dove	Montgomery
Duckett	Moore
Ellis	Morris
Eubank	Morse
Evans	Murray
Ferguson	Parker
Files	Pevehouse
Fuchs	Phillips
Gandy	Price
Garland	Reed of Bowie
Gilmer	Reed of Dallas
Halsey	Rhodes
Hanna	Ridgeway
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Heflin	Sharpe
Helpinstill	Shell
Henderson	Simpson
Hileman	Smith of Bastrop
Hobbs	Spacek
Howard	Spangler
Howington	Stanford
Hoyo	Stinson
Huddleston	Stubbs

Vale
Voigt
Wattner
Weatherford

White
Whitesides
Winfree

Present—Not Voting

Brawner
Craig
Favors
Hardeman
Lansberry

McLellan
McNamara
Morgan
Rampy

Absent

Allen
Bruhl
Celaya
Deen
Dwyer
King

Leyendecker
Nicholson
Pace
Thornton
Walters
Williamson

Absent—Excused

Carlton
Colson, Mrs.
Dickson of Nolan
Fitzgerald

Goodman
Green
Smith of Atascosa
Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 44, A bill to be entitled "An Act authorizing two or more cities of more than one hundred thousand (100,000) population according to the last preceding Federal Census or any future Federal Census to jointly acquire airports by purchase, gift, devise, or by the power of eminent domain, or in any other lawful manner. The land may be located wholly within the County of any one of said cities, or partly in the County of one of them and partly in the County of any of the other cities affected, with full power to improve, manage, control or lease said airports upon terms agreeable to said cities; and providing that this Act shall be cumulative of all other laws or charter provisions relating to the same subject; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 44 ON
THIRD READING

The Speaker then laid House Bill No. 44 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Isaacks
Alsup	Jones
Avant	Kelly
Bailey	Kennedy
Baker	Kersey
Bean	Kinard
Bell	Klingeman
Benton	Knight
Blankenship	Lehman
Boone	Little
Bray	Lock
Bridgers	Love
Brown	Lowry
Bullock	Lucas
Bundy	Lyle
Burkett	McAlister
Burnaman	McCann
Carrington	McDonald
Cato	McGlasson
Chambers	McMurry
Clark	Manford
Cleveland	Manning
Coker	Markle
Connelly	Martin
Crossley	Matthews
Crosthwait	Mills
Daniel	Montgomery
Davis	Moore
Dickson of Bexar	Morris
Donald	Morse
Dove	Murray
Duckett	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fuchs	Rhodes
Gandy	Ridgeway
Garland	Roark
Gilmer	Roberts
Halsey	Sallas
Hanna	Senterfitt
Hargis	Sharpe
Harris of Dallas	Shell
Harris of Hill	Simpson
Hartzog	Smith of Bastrop
Heflin	Spacek
Helpinstill	Spangler
Henderson	Stanford
Hileman	Stinson
Hobbs	Stubbs
Howard	Vale
Howington	Voigt
Hoyo	Wattner
Huddleston	Weatherford
Huffman	White
Hughes	Whitesides
Humphrey	Winfree
Hutchinson	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 46 ON
SECOND READING

Mr. Spangler moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 46 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Daniel
Alsup	Davis
Avant	Dickson of Bexar
Bailey	Donald
Baker	Dove
Bean	Duckett
Bell	Ellis
Benton	Eubank
Blankenship	Evans
Boone	Ferguson
Bray	Files
Bridgers	Fuchs
Brown	Gandy
Bullock	Garland
Bundy	Gilmer
Burkett	Halsey
Burnaman	Hanna
Carrington	Hargis
Cato	Harris of Dallas
Chambers	Harris of Hill
Clark	Hartzog
Cleveland	Heflin
Coker	Helpinstill
Connelly	Henderson
Crossley	Hileman
Crosthwait	Hobbs

Howard	Montgomery
Howington	Moore
Hoyo	Morris
Huddleston	Morse
Huffman	Murray
Hughes	Parker
Humphrey	Pevehouse
Hutchinson	Phillips
Isaacks	Price
Jones	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Rhodes
Kersey	Ridgeway
Kinard	Roark
Klingeman	Roberts
Knight	Sallas
Lehman	Senterfitt
Little	Sharpe
Lock	Shell
Love	Simpson
Lowry	Smith of Bastrop
Lucas	Spacek
Lyle	Spangler
McAlister	Stanford
McCann	Stinson
McDonald	Stubbs
McGlasson	Vale
McMurry	Voigt
Manford	Wattner
Manning	Weatherford
Markle	White
Martin	Whitesides
Matthews	Winfree
Mills	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 46, A bill to be entitled
"An Act to prohibit the taking of

minnows to be used as a bait or for the purpose of barter or sale from the water of the lake impounded by Medina Dam in Medina and Bandera Counties; providing a penalty; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 46 ON THIRD READING

The Speaker then laid House Bill No. 46 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Halsey
Alsup	Hanna
Avant	Hargis
Bailey	Harris of Dallas
Baker	Harris of Hill
Bean	Hartzog
Bell	Heflin
Benton	Helpinstill
Blankenship	Henderson
Boone	Hileman
Bray	Hobbs
Bridgers	Howard
Brown	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carrington	Humphrey
Cato	Hutchinson
Chambers	Isaacks
Clark	Jones
Cleveland	Kelly
Coker	Kennedy
Connelly	Kersey
Crossley	Kinard
Crosthwait	Klingeman
Daniel	Knight
Davis	Lehman
Dickson of Bexar	Little
Donald	Lock
Dove	Love
Duckett	Lowry
Ellis	Lucas
Eubank	Lyle
Evans	McAlister
Ferguson	McCann
Files	McDonald
Fuchs	McGlasson
Gandy	McMurry
Garland	Manford
Gilmer	Manning

Markle	Sallas
Martin	Senterfitt
Matthews	Sharpe
Mills	Shell
Montgomery	Simpson
Moore	Smith of Bastrop
Morris	Spacek
Morse	Spangler
Murray	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Vale
Price	Voigt
Reed of Bowie	Wattner
Reed of Dallas	Weatherford
Rhodes	White
Ridgeway	Whitesides
Roark	Winfree
Roberts	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 47 ON SECOND READING

Mr. Halsey moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 47 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Bell
Alsup	Benton
Avant	Blankenship
Bailey	Boone
Baker	Bray
Bean	Bridgers

Brown	Klingeman
Bullock	Knight
Bundy	Lehman
Burkett	Little
Burnaman	Lock
Carrington	Love
Cato	Lowry
Chambers	Lucas
Clark	Lyle
Cleveland	McAlister
Coker	McCann
Connelly	McDonald
Crossley	McGlasson
Crosthwait	McMurry
Daniel	Manford
Davis	Manning
Dickson of Bexar	Markle
Donald	Martin
Dove	Matthews
Duckett	Mills
Ellis	Montgomery
Eubank	Moore
Evans	Morris
Ferguson	Morse
Files	Murray
Fuchs	Parker
Gandy	Pevehouse
Garland	Phillips
Gilmer	Price
Halsey	Reed of Bowie
Hanna	Reed of Dallas
Hargis	Rhodes
Harris of Dallas	Ridgeway
Harris of Hill	Roark
Hartzog	Roberts
Heflin	Sallas
Helpinstill	Senterfitt
Henderson	Sharpe
Hileman	Shell
Hobbs	Simpson
Howard	Smith of Bastrop
Howington	Spacek
Hoyo	Spangler
Huddleston	Stanford
Huffman	Stinson
Hughes	Stubbs
Humphrey	Vale
Hutchinson	Voigt
Isaacks	Wattner
Jones	Weatherford
Kelly	White
Kennedy	Whitesides
Kersey	Winfree
Kinard	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 47, A bill to be entitled "An Act to amend H. B. No. 618, Acts of the 47th Legislature, which amended Article 2779 of the Revised Civil Statutes of Texas, by adding Article 2779a, so as to remove therefrom the provisions applicable to counties having a population of not less than fifty-one thousand, three hundred and twenty-five (51,325) and not more than fifty-four thousand, two hundred (54,200), according to the last Federal Census; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 47 ON
THIRD READING

The Speaker then laid House Bill No. 47 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Burkett
Alsup	Burnaman
Avant	Carrington
Bailey	Cato
Baker	Chambers
Bean	Clark
Bell	Cleveland
Benton	Coker
Blankenship	Connelly
Boone	Crossley
Bray	Crosthwait
Bridgers	Daniel
Brown	Davis
Bullock	Dickson of Bexar
Bundy	Donald

Dove	McAlister
Duckett	McCann
Ellis	McDonald
Eubank	McGlasson
Evans	McMurry
Ferguson	Manford
Files	Manning
Fuchs	Markle
Gandy	Martin
Garland	Matthews
Gilmer	Mills
Halsey	Montgomery
Hanna	Moore
Hargis	Morris
Harris of Dallas	Morse
Harris of Hill	Murray
Hartzog	Parker
Heflin	Pevehouse
Helpinstill	Phillips
Henderson	Price
Hileman	Reed of Bowie
Hobbs	Reed of Dallas
Howard	Rhodes
Howington	Ridgeway
Hoyo	Roark
Huddleston	Roberts
Huffman	Sallas
Hughes	Senterfitt
Humphrey	Sharpe
Hutchinson	Shell
Isaacks	Simpson
Jones	Smith of Bastrop
Kelly	Spacek
Kennedy	Spangler
Kersey	Stanford
Kinard	Stinson
Klingeman	Stubbs
Knight	Vale
Lehman	Voigt
Little	Wattner
Lock	Weatherford
Love	White
Lowry	Whitesides
Lucas	Winfree
Lyle	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Colson, Mrs.
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Dickson of Nolan	Green
Fitzgerald	Smith of Atascosa
Goodman	Taylor

HOUSE BILL NO. 51 ON
SECOND READING

Mr. Crosthwait moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 51 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Harris of Dallas
Alsup	Harris of Hill
Avant	Hartzog
Bailey	Heflin
Baker	Helpinstill
Bean	Henderson
Bell	Hileman
Benton	Hobbs
Blankenship	Howard
Boone	Howington
Bray	Hoyo
Bridgers	Huddleston
Brown	Huffman
Bullock	Hughes
Bundy	Humphrey
Burkett	Hutchinson
Burnaman	Isaacks
Carrington	Jones
Cato	Kelly
Chambers	Kennedy
Clark	Kersey
Cleveland	Kinard
Coker	Klingeman
Connelly	Knight
Crossley	Lehman
Crosthwait	Little
Daniel	Lock
Davis	Love
Dickson of Bexar	Lowry
Donald	Lucas
Dove	Lyle
Duckett	McAlister
Ellis	McCann
Eubank	McDonald
Evans	McGlasson
Ferguson	McMurry
Files	Manford
Fuchs	Manning
Gandy	Markle
Garland	Martin
Gilmer	Matthews
Halsey	Mills
Hanna	Montgomery
Hargis	Moore

Morris	Shell
Morse	Simpson
Murray	Smith of Bastrop
Parker	Spacek
Pevehouse	Spangler
Phillips	Stanford
Price	Stinson
Reed of Bowie	Stubbs
Reed of Dallas	Vale
Rhodes	Voigt
Ridgeway	Wattner
Roark	Weatherford
Roberts	White
Sallas	Whitesides
Senterfitt	Winfree
Sharpe	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 51, A bill to be entitled "An Act providing that in all counties having a population of more than three hundred and fifty thousand (350,000) and less than five hundred thousand (500,000) inhabitants according to the last preceding or any future Federal Census in the State of Texas having County Courts at Law, the judges of such courts may act for the County Judge in probate or guardianship proceedings or matters, also in juvenile and lunacy cases; providing that any such act and judgment of any such Judge of the County Court at Law shall be valid and binding upon all parties the same as if rendered by the County Judge; providing that this Act shall not deprive the parties inter-

ested in any case pending in the County Court to appoint a proper person to try such case in the manner provided by the Constitution of this State when the Judge of the County Court in such case is disqualified; providing that no additional compensation or salary shall be paid to the Judge of any such county Court at Law for such additional powers and duties conferred upon such Judges of the County Courts at Law by this Act; providing this Act shall not apply to any county having a population of more than three hundred and fifty thousand (350,000) according to the last Federal Census; providing for the repealing of all laws and parts of laws in conflict with this Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 51 ON
THIRD READING

The Speaker then laid House Bill No. 51 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Davis
Alsup	Dickson of Bexar
Avant	Donald
Bailey	Dove
Baker	Duckett
Bean	Ellis
Bell	Eubank
Benton	Evans
Blankenship	Ferguson
Boone	Files
Bray	Fuchs
Bridgers	Gandy
Brown	Garland
Bullock	Gilmer
Bundy	Halsey
Burkett	Hanna
Burnaman	Hargis
Carrington	Harris of Dallas
Cato	Harris of Hill
Chambers	Hartzog
Clark	Heflin
Cleveland	Helpinstill
Coker	Henderson
Connelly	Hileman
Crossley	Hobbs
Crosthwait	Howard
Daniel	Howington

Hoyo	Moore
Huddleston	Morris
Huffman	Morse
Hughes	Murray
Humphrey	Parker
Hutchinson	Pevehouse
Isaacks	Phillips
Jones	Price
Kelly	Reed of Bowie
Kennedy	Reed of Dallas
Kersey	Rhodes
Kinard	Ridgeway
Klingeman	Roark
Knight	Roberts
Lehman	Sallas
Little	Senterfitt
Lock	Sharpe
Love	Shell
Lowry	Simpson
Lucas	Smith of Bastrop
Lyle	Spacek
McAlister	Spangler
McCann	Stanford
McDonald	Stinson
McGlasson	Stubbs
McMurry	Vale
Manford	Voigt
Manning	Wattner
Markle	Weatherford
Martin	White
Matthews	Whitesides
Mills	Winfree
Montgomery	

Present—Not Voting

Browner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 52 ON
SECOND READING

Mr. Kinard moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 52

be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Huddleston
Alsup	Huffman
Avant	Hughes
Bailey	Humphrey
Baker	Hutchinson
Bean	Isaacks
Bell	Jones
Benton	Kelly
Blankenship	Kennedy
Boone	Kersey
Bray	Kinard
Bridgers	Klingeman
Brown	Knight
Bullock	Lehman
Bundy	Little
Burkett	Lock
Burnaman	Love
Carrington	Lowry
Cato	Lucas
Chambers	Lyle
Clark	McAlister
Cleveland	McCann
Coker	McDonald
Connelly	McGlasson
Crossley	McMurry
Crosthwait	Manford
Daniel	Manning
Davis	Markle
Dickson of Bexar	Martin
Donald	Matthews
Dove	Mills
Duckett	Montgomery
Ellis	Moore
Eubank	Morris
Evans	Morse
Ferguson	Murray
Files	Parker
Fuchs	Pevehouse
Gandy	Phillips
Garland	Price
Gilmer	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Rhodes
Hargis	Ridgeway
Harris of Dallas	Roark
Harris of Hill	Roberts
Hartzog	Sallas
Heflin	Senterfitt
Helpinstill	Sharpe
Henderson	Shell
Hileman	Simpson
Hobbs	Smith of Bastrop
Howard	Spacek
Howington	Spangler
Hoyo	Stanford

Stinson	Weatherford
Stubbs	White
Vale	Whitesides
Voigt	Winfree
Wattner	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 52, A bill to be entitled "An Act authorizing the Commissioners' Court in any county having a population of not less than seventeen thousand three hundred seventy-five (17,375) and not more than seventeen thousand three hundred eighty-three (17,383), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such Commissioner to pay the expenses of operation and repair of such automobile so used by him, without further expense to the county; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 52 on
THIRD READING**

The Speaker then laid House Bill No. 52 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Isaacks
Alsup	Jones
Avant	Kelly
Bailey	Kennedy
Baker	Kersey
Bean	Kinard
Bell	Klingeman
Benton	Knight
Blankenship	Lehman
Boone	Little
Bray	Lock
Bridgers	Love
Brown	Lowry
Bullock	Lucas
Bundy	Lyle
Burkett	McAlister
Burnaman	McCann
Carrington	McDonald
Cato	McGlasson
Chambers	McMurry
Clark	Manford
Cleveland	Manning
Coker	Markle
Connelly	Martin
Crossley	Matthews
Crosthwait	Mills
Daniel	Montgomery
Davis	Moore
Dickson of Bexar	Morris
Donald	Morse
Dove	Murray
Duckett	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fuchs	Rhodes
Gandy	Ridgeway
Garland	Roark
Gilmer	Roberts
Halsey	Sallas
Hanna	Senterfitt
Hargis	Sharpe
Harris of Dallas	Shell
Harris of Hill	Simpson
Hartzog	Smith of Bastrop
Heflin	Spacek
Helpinstill	Spangler
Henderson	Stanford
Hileman	Stinson
Hobbs	Stubbs
Howard	Vale
Howington	Voigt
Hoyo	Wattner
Huddleston	Weatherford
Huffman	White
Hughes	Whitesides
Humphrey	Winfree
Hutchinson	

Present—Not Voting	
Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	
Absent	
Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused	
Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 53 ON
SECOND READING

Mr. Manning moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 53 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Daniel
Alsup	Davis
Avant	Dickson of Bexar
Bailey	Donald
Baker	Dove
Bean	Duckett
Bell	Ellis
Benton	Eubank
Blankenship	Evans
Boone	Ferguson
Bray	Files
Bridgers	Fuchs
Brown	Gandy
Bullock	Garland
Bundy	Gilmer
Burkett	Halsey
Burnaman	Hanna
Carrington	Hargis
Cato	Harris of Dallas
Chambers	Harris of Hill
Clark	Hartzog
Cleveland	Heflin
Coker	Helpinstill
Connelly	Henderson
Crossley	Hileman
Crothwait	Hobbs

Howard	Montgomery
Howington	Moore
Hoyo	Morris
Huddleston	Morse
Huffman	Murray
Hughes	Parker
Humphrey	Pevehouse
Hutchinson	Phillips
Isaacks	Price
Jones	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Rhodes
Kersey	Ridgeway
Kinard	Roark
Klingeman	Roberts
Knight	Sallas
Lehman	Senterfitt
Little	Sharpe
Lock	Shell
Love	Simpson
Lowry	Smith of Bastrop
Lucas	Spacek
Lyle	Spangler
McAlister	Stanford
McCann	Stinson
McDonald	Stubbs
McGlasson	Vale
McMurry	Voigt
Manford	Wattner
Manning	Weatherford
Markle	White
Martin	Whitesides
Matthews	Winfree
Mills	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	
Absent	
Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 53, A bill to be entitled "An Act authorizing the Game, Fish and Oyster Commission of Texas to

enter into cooperative agreements with the United States for the protection and management of wildlife resources on certain national forest lands in Texas situated in the Counties of Angelina, Jasper, Nacogdoches, San Augustine, Houston, Trinity, Sabine, Shelby, Montgomery, San Jacinto and Walker and to restock and protect the same; authorizing the Game, Fish and Oyster Commission to close hunting and fishing within such lands, to prescribe seasons for hunting and fishing therein, to fix hunting and/or fishing license fees for hunting or fishing therein and to provide for disposition of same, to prescribe the number and size of animals and fish to be taken and to provide conditions under which same may be taken; prescribing penalty for violations of the rules and regulations promulgated by the Game, Fish and Oyster Commission and for other purposes and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 53 ON THIRD READING

The Speaker then laid House Bill No. 53 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Coker
Alsup	Connelly
Avant	Crossley
Bailey	Crosthwait
Baker	Daniel
Bean	Davis
Bell	Dickson of Bexar
Benton	Donald
Blankenship	Dove
Boone	Duckett
Bray	Ellis
Bridgers	Eubank
Brown	Evans
Bullock	Ferguson
Bundy	Files
Burkett	Fuchs
Burnaman	Gandy
Carrington	Garland
Cato	Gilmer
Chambers	Halsey
Clark	Hanna
Cleveland	Hargis

Harris of Dallas	Markle
Harris of Hill	Martin
Hartzog	Matthews
Heflin	Mills
Helpinstill	Montgomery
Henderson	Moore
Hileman	Morris
Hobbs	Morse
Howard	Murray
Howington	Parker
Hoyo	Pevehouse
Huddleston	Phillips
Huffman	Price
Hughes	Reed of Bowie
Humphrey	Reed of Dallas
Hutchinson	Rhodes
Isaacks	Ridgeway
Jones	Roark
Kelly	Roberts
Kennedy	Sallas
Kersey	Senterfitt
Kinard	Sharpe
Klingeman	Shell
Knight	Simpson
Lehman	Smith of Bastrop
Little	Spacek
Lock	Spangler
Love	Stanford
Lowry	Stinson
Lucas	Stubbs
Lyle	Vale
McAlister	Voigt
McCann	Wattner
McDonald	Weatherford
McGlasson	White
McMurry	Whitesides
Manford	Winfree
Manning	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 54 ON SECOND READING

Mr. Bullock moved that the Consti-

tutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 54 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Hobbs
Alsup	Howard
Avant	Howington
Bailey	Hoyo
Baker	Huddleston
Bean	Huffman
Bell	Hughes
Benton	Humphrey
Blankenship	Hutchinson
Boone	Isaacks
Bray	Jones
Bridgers	Kelly
Brown	Kennedy
Bullock	Kersey
Bundy	Kinard
Burkett	Klingeman
Burnaman	Knight
Carrington	Lehman
Cato	Little
Chambers	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Connelly	Lyle
Crossley	McAlister
Crosthwait	McCann
Daniel	McDonald
Davis	McGlasson
Dickson of Bexar	McMurry
Donald	Manford
Dove	Manning
Duckett	Markle
Ellis	Martin
Eubank	Matthews
Evans	Mills
Ferguson	Montgomery
Files	Moore
Fuchs	Morris
Gandy	Morse
Garland	Murray
Gilmer	Parker
Halsey	Pevehouse
Hanna	Phillips
Hargis	Price
Harris of Dallas	Reed of Bowie
Harris of Hill	Reed of Dallas
Hartzog	Rhodes
Heflin	Ridgeway
Helpinstill	Roark
Henderson	Roberts
Hileman	Sallas

Senterfitt	Stubbs
Sharpe	Vale
Shell	Voigt
Simpson	Wattner
Smith of Bastrop	Weatherford
Spacek	White
Spangler	Whitesides
Stanford	Winfree
Stinson	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 54, A bill to be entitled "An Act amending Article 198 of the Revised Civil Statutes of the State of Texas, 1925, as amended by the Act of the Forty-sixth Legislature, 1939, page 148, Section 1, relating to and designating the Supreme Judicial Districts of the State of Texas, by transferring Kent County from the Seventh Supreme Judicial District to the Eleventh Supreme Judicial District; providing that this Act shall not affect the jurisdiction of the Court of Civil Appeals for the Seventh Supreme Judicial District in cases appealed from Kent County, in which the transcript shall have been filed in said court prior to the date this Act takes effect; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 54 ON
THIRD READING

The Speaker then laid House Bill

No. 54 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Huffman
Alsup	Hughes
Avant	Humphrey
Bailey	Hutchinson
Baker	Isaacks
Bean	Jones
Bell	Kelly
Benton	Kennedy
Blankenship	Kersey
Boone	Kinard
Bray	Klingeman
Bridgers	Knight
Brown	Lehman
Bullock	Little
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carrington	Lucas
Cato	Lyle
Chambers	McAlister
Clark	McCann
Cleveland	McDonald
Coker	McGlasson
Connelly	McMurry
Crossley	Manford
Crosthwait	Manning
Daniel	Markle
Davis	Martin
Dickson of Bexar	Matthews
Donald	Mills
Dove	Montgomery
Duckett	Moore
Ellis	Morris
Eubank	Morse
Evans	Murray
Ferguson	Parker
Files	Pevehouse
Fuchs	Phillips
Gandy	Price
Garland	Reed of Bowie
Gilmer	Reed of Dallas
Halsey	Rhodes
Hanna	Ridgeway
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Heflin	Sharpe
Helpinstill	Shell
Henderson	Simpson
Hileman	Smith of Bastrop
Hobbs	Spacek
Howard	Spangler
Howington	Stanford
Hoyo	Stinson
Huddleston	Stubbs

Vale
Voigt
Wattner
Weatherford

White
Whitesides
Winfree

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

**HOUSE BILL NO. 55 ON
SECOND READING**

Mr. Davis moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 55 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Coker
Alsup	Connelly
Avant	Crossley
Bailey	Crosthwait
Baker	Daniel
Bean	Davis
Bell	Dickson of Bexar
Benton	Donald
Blankenship	Dove
Boone	Duckett
Bray	Ellis
Bridgers	Eubank
Brown	Evans
Bullock	Ferguson
Bundy	Files
Burkett	Fuchs
Burnaman	Gandy
Carrington	Garland
Cato	Gilmer
Chambers	Halsey
Clark	Hanna
Cleveland	Hargis

Harris of Dallas	Markle
Harris of Hill	Martin
Hartzog	Matthews
Heflin	Mills
Helpinstill	Montgomery
Henderson	Moore
Hileman	Morris
Hobbs	Morse
Howard	Murray
Howington	Parker
Hoyo	Pevehouse
Huddleston	Phillips
Huffman	Price
Hughes	Reed of Bowie
Humphrey	Reed of Dallas
Hutchinson	Rhodes
Isaacks	Ridgeway
Jones	Roark
Kelly	Roberts
Kennedy	Sallas
Kersey	Senterfitt
Kinard	Sharpe
Klingeman	Shell
Knight	Simpson
Lehman	Smith of Bastrop
Little	Spacek
Lock	Spangler
Love	Stanford
Lowry	Stinson
Lucas	Stubbs
Lyle	Vale
McAlister	Voigt
McCann	Wattner
McDonald	Weatherford
McGlasson	White
McMurry	Whitesides
Manford	Winfree
Manning	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 55, A bill to be entitled "An Act making it lawful to catch or take by the use of the hands or with or without poles or lines in the manner commonly known as grappling, mud cat, carp, buffalo or shad fish in the waters of McLennan County. All laws or parts of laws in conflict with this Act are hereinafter repealed. The fact that McLennan County after the opening and closing of the gates of Lake Waco has a great number of the above named fish deposited among rocks and gravel in the bed of the Bosque River which will lay there and die, becoming a menace to the public, thereby creating an emergency which makes it necessary that the Constitutional Rule requiring all bills to be read on three several days in each House, be and the same is hereby suspended, and this Act shall take effect and be enforced from and after its passage, and it is so enacted."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 55 ON
THIRD READING

The Speaker then laid House Bill No. 55 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Crossley
Alsup	Crosthwait
Avant	Daniel
Bailey	Davis
Baker	Dickson of Bexar
Bean	Donald
Bell	Dove
Benton	Duckett
Blankenship	Ellis
Boone	Eubank
Bray	Evans
Bridgers	Ferguson
Brown	Files
Bullock	Fuchs
Bundy	Gandy
Burkett	Garland
Burnaman	Gilmer
Carrington	Halsey
Cato	Hanna
Chambers	Hargis
Clark	Harris of Dallas
Cleveland	Harris of Hill
Coker	Hartzog
Connelly	Heflin

Helpinstill	Matthews
Henderson	Mills
Hileman	Montgomery
Hobbs	Moore
Howard	Morris
Howington	Morse
Hoyo	Murray
Huddleston	Parker
Huffman	Pevehouse
Hughes	Phillips
Humphrey	Price
Hutchinson	Reed of Bowie
Isaacks	Reed of Dallas
Jones	Rhodes
Kelly	Ridgeway
Kennedy	Roark
Kersey	Roberts
Kinard	Sallas
Klingeman	Senterfitt
Knight	Sharpe
Lehman	Shell
Little	Simpson
Lock	Smith of Bastrop
Love	Spacek
Lowry	Spangler
Lucas	Stanford
Lyle	Stinson
McAlister	Stubbs
McCann	Vale
McDonald	Voigt
McGlasson	Wattner
McMurry	Weatherford
Manford	White
Manning	Whitesides
Markle	Winfree
Martin	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 56 ON
SECOND READING

Mr. Crosthwait moved that the Constitutional Rule requiring bills to

be read on three several days be suspended and that House Bill No. 56 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Howington
Alsup	Hoyo
Avant	Huddleston
Bailey	Huffman
Baker	Hughes
Bean	Humphrey
Bell	Hutchinson
Benton	Isaacks
Blankenship	Jones
Boone	Kelly
Bray	Kennedy
Bridgers	Kersey
Brown	Kinard
Bullock	Klingeman
Bundy	Knight
Burkett	Lehman
Burnaman	Little
Carrington	Lock
Cato	Love
Chambers	Lowry
Clark	Lucas
Cleveland	Lyle
Coker	McAlister
Connelly	McCann
Crossley	McDonald
Crosthwait	McGlasson
Daniel	McMurry
Davis	Manford
Dickson of Bexar	Manning
Donald	Markle
Dove	Martin
Duckett	Matthews
Ellis	Mills
Eubank	Montgomery
Evans	Moore
Ferguson	Morris
Files	Morse
Fuchs	Murray
Gandy	Parker
Garland	Pevehouse
Gilmer	Phillips
Halsey	Price
Hanna	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Rhodes
Harris of Hill	Ridgeway
Hartzog	Roark
Heflin	Roberts
Helpinstill	Sallas
Henderson	Senterfitt
Hileman	Sharpe
Hobbs	Shell
Howard	Simpson

Smith of Bastrop	Voigt
Spacek	Wattner
Spangler	Weatherford
Stanford	White
Stinson	Whitesides
Stubbs	Winfree
Vale	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent†

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 56, A bill to be entitled "An Act providing for a budget system in counties of three hundred and fifty thousand (350,000) inhabitants or more and less than five hundred thousand (500,000) inhabitants, as shown by the last preceding or any future Federal Census, and the procedure thereunder, and the enforcement thereof, and for reports with respect to said budget, and the finances of said counties; and providing for the contents of said reports and their publication; and repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 56 ON
THIRD READING**

The Speaker then laid House Bill No. 56 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Isaacks
Alsup	Jones
Avant	Kelly
Bailey	Kennedy
Baker	Kersey
Bean	Kinard
Bell	Klingeman
Benton	Knight
Blankenship	Lehman
Boone	Little
Bray	Lock
Bridgers	Love
Brown	Lowry
Bullock	Lucas
Bundy	Lyle
Burkett	McAlister
Burnaman	McCann
Carrington	McDonald
Cato	McGlasson
Chambers	McMurry
Clark	Manford
Cleveland	Manning
Coker	Markle
Connelly	Martin
Crossley	Matthews
Crosthwait	Mills
Daniel	Montgomery
Davis	Moore
Dickson of Bexar	Morris
Donald	Morse
Dove	Murray
Duckett	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fuchs	Rhodes
Gandy	Ridgeway
Garland	Roark
Gilmer	Roberts
Halsey	Sallas
Hanna	Senterfitt
Hargis	Sharpe
Harris of Dallas	Shell
Harris of Hill	Simpson
Hartzog	Smith of Bastrop
Heflin	Spacek
Helpinstill	Spangler
Henderson	Stanford
Hileman	Stinson
Hobbs	Stubbs
Howard	Vale
Howington	Voigt
Hoyo	Wattner
Huddleston	Weatherford
Huffman	White
Hughes	Whitesides
Humphrey	Winfree
Hutchinson	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

HOUSE BILL NO. 57 ON
SECOND READING

Mr. Kinard moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 57 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Davis
Alsup	Dickson of Bexar
Avant	Donald
Bailey	Dove
Baker	Duckett
Bean	Ellis
Bell	Eubank
Benton	Evans
Blankenship	Ferguson
Boone	Files
Bray	Fuchs
Bridgers	Gandy
Brown	Garland
Bullock	Gilmer
Bundy	Halsey
Burkett	Hanna
Burnaman	Hargis
Carrington	Harris of Dallas
Cato	Harris of Hill
Chambers	Hartzog
Clark	Heflin
Cleveland	Helpinstill
Coker	Henderson
Connelly	Hileman
Crossley	Hobbs
Crosthwait	Howard
Danfel	Howington

Hoyo	Moore
Huddleston	Morris
Huffman	Morse
Hughes	Murray
Humphrey	Parker
Hutchinson	Pevehouse
Isaacks	Phillips
Jones	Price
Kelly	Reed of Bowie
Kennedy	Reed of Dallas
Kersey	Rhodes
Kinard	Ridgeway
Klingeman	Roark
Knight	Roberts
Lehman	Sallas
Little	Senterfitt
Lock	Sharpe
Love	Shell
Lowry	Simpson
Lucas	Smith of Bastrop
Lyle	Spacek
McAlister	Spangler
McCann	Stanford
McDonald	Stinson
McGlasson	Stubbs
McMurry	Vale
Manford	Voigt
Manning	Wattner
Markle	Weatherford
Martin	White
Matthews	Whitesides
Mills	Winfree
Montgomery	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 57, A bill to be entitled "An Act to amend Article 1113 of the Revised Civil Statutes of Texas as amended by the Acts of the Forty-

third Legislature, page one hundred twenty-two (122), by adding Article 1113A, to provide that where a city or town at the time of, or prior to the purchase or acquisition of Sanitary Sewer System, has authorized the issuance of bonds for the purchase, improvement, extension, enlargement, repair, and construction of a Sanitary Sewer System for said city or town, has voted bonds for such purchase and all such bonds have not been issued, the remaining amount of bonds so authorized may be issued and sold; further providing how such bonds may be designated if issued at the time the outstanding bonds are sold; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 57 ON THIRD READING

The Speaker then laid House Bill No. 57 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allison	Dove
Alsup	Duckett
Avant	Ellis
Bailey	Eubank
Baker	Evans
Bean	Ferguson
Bell	Files
Benton	Fuchs
Blankenship	Gandy
Boone	Garland
Bray	Gilmer
Bridgers	Halsey
Brown	Hanna
Bullock	Hargis
Bundy	Harris of Dallas
Burkett	Harris of Hill
Burnaman	Hartzog
Carrington	Heflin
Cato	Helpinstill
Chambers	Henderson
Clark	Hileman
Cleveland	Hobbs
Coker	Howard
Connelly	Howington
Crossley	Hoyo
Crothwait	Huddleston
Daniel	Huffman
Davis	Hughes
Dickson of Bexar	Humphrey
Donald	Hutchinson

Isaacks	Murray
Jones	Parker
Kelly	Pevehouse
Kennedy	Phillips
Kersey	Price
Kinard	Reed of Bowie
Klingeman	Reed of Dallas
Knight	Rhodes
Lehman	Ridgeway
Little	Roark
Lock	Roberts
Love	Sallas
Lowry	Senterfitt
Lucas	Sharpe
Lyle	Shell
McAlister	Simpson
McCann	Smith of Bastrop
McDonald	Spacek
McGlasson	Spangler
McMurry	Stanford
Manford	Stinson
Manning	Stubbs
Markle	Vale
Martin	Voigt
Matthews	Wattner
Mills	Weatherford
Montgomery	White
Moore	Whitesides
Morris	Winfree
Morse	

Present—Not Voting

Brawner	McLellan
Craig	McNamara
Favors	Morgan
Hardeman	Rampy
Lansberry	

Absent

Allen	Leyendecker
Bruhl	Nicholson
Celaya	Pace
Deen	Thornton
Dwyer	Walters
King	Williamson

Absent—Excused

Carlton	Goodman
Colson, Mrs.	Green
Dickson of Nolan	Smith of Atascosa
Fitzgerald	Taylor

OATH OF OFFICE TAKEN BY HON. COKE R. STEVENSON

On motion of Mr. Isaacks the following was ordered printed in the Journal:

August 8, 1941.

(Hall of the House of Representatives)

At 12:00 o'clock m., August 8, 1941, the hour fixed for Hon. Coke

R. Stevenson to take the oath of office as Governor of the State of Texas, the Hon. Coke R. Stevenson, and Mrs. Coke R. Stevenson, accompanied by Mrs. Virginia Stevenson, Mr. and Mrs. Coke Stevenson, Jr., Mrs. Beatrice Wright, and Hon. Homer Leonard, Speaker of the House of Representatives, and Mrs. Leonard, Senator R. A. Weinert, President Pro Tempore of the Senate, ad interim, and Mrs. Weinert, Hon. James P. Alexander, Chief Justice of the Supreme Court, Hon. C. H. Gilmer of Kimble County and Rev. S. L. Bachelor of San Antonio, Senators, Brownlee, Isbell, Martin, Formby and Fain, Committee on the part of the Senate and Messrs. Halsey Avant, Carrington and Stanford, Committee on the part of the House, were admitted to the Hall of the House and escorted to seats on the Speaker's rostrum.

The following also occupied seats on the Speaker's rostrum: Hon. James E. Ferguson and Hon. Miriam A. Ferguson, Hon. Pat M. Neff, Hon. Ross Sterling, Hon. Dan Moody, Hon. James V. Allred, and Hon. and Mrs. W. P. Hobby.

At 12 o'clock noon Hon. Homer Leonard called the assemblage to order and stated that the purpose of the assemblage was for the Hon. Coke R. Stevenson to take the oath of office as Governor of the State of Texas.

Mr. Leonard presented the Rev. S. L. Bachelor who offered prayer.

Mr. Leonard then presented Senator R. A. Weinert, who addressed the assemblage and stated that the oath of office would now be taken by Mr. Stevenson.

Hon. Coke R. Stevenson then took the constitutional oath of office which was administered by Hon. James P. Alexander, Chief Justice of the Supreme Court.

Mr. Stevenson also affixed his signature to the official oath, Justice Alexander attesting same.

Mr. Alexander then presented Hon. C. H. Gilmer of Kimble County who in turn presented Hon. Coke R. Stevenson, Governor of Texas.

Mr. Stevenson addressed the assemblage, as follows:

My Fellow Citizens:

Some men are born to fortune; others achieve it; and still others have it thrust upon them. Regard-

less of the classification which fits my position today, the people of Texas have another occupant in an office which belongs to them. A combination of circumstances requires the duties of this office to be performed by one who was not originally elected thereto.

Governor O'Daniel was twice chosen by the people to be chief executive of this State. By choice on his part, and with the approval of the people, he is now a representative of Texas in the United States Senate. We wish for him every success in his earnest and energetic endeavor to represent Texas in this age of destiny.

My tribute of respect on this occasion is offered to all of my predecessors in the office of Governor. Each has rendered distinguished service to the people of this state, and they are entitled to the honor and respect which a grateful citizenship acknowledges to those who have served them well. Most of them are here today, and the presence of each of them is sincerely appreciated. It is a tribute to an office which has always been held in the highest esteem.

I acknowledge today my debt of gratitude to the present members of the Legislature, and to those former members of the Legislature who have rendered signal assistance to me at all times in my efforts to serve my state. The friendship, loyalty and good will of this host of faithful public servants is the richest heritage in my political life.

It is particularly pleasing to me to see so many of them present today. It is very gratifying that one of their number, my successor from the 86th district, is here to voice the sentiments which he has so kindly expressed concerning me.

It might be expected that I would discuss the duties of the chief executive or announce the policies of my administration.

Last January, when, for the second time, I was inaugurated Lieutenant-Governor, I dared to mention a program. Perhaps it was already in the minds of the Legislature, and expressed by me because I had the opportunity to do so.

I mentioned at that time six objectives of government which are within the limits of our Constitution and yet are each and all as modern

and progressive as tomorrow. That program was largely completed by the 47th Legislature. A brief enumeration of the points presented and the manner of their disposal by the Legislature will not be out of order.

The first point, as is always the case with any State program whose foundations are deeply laid, was aid to agriculture. The Legislature passed the most liberal and effective soil conservation bill in the history of the state.

Further protection of labor was advocated. The Legislature evidenced its sympathy and concern with the problems of the working men and passed laws which improved the conditions of those who toil.

Completion of the Social Security Program in a manner fair and just to all concerned was strongly advocated. The Legislature responded by passing the largest tax bill ever levied by any Legislature and allocating the funds liberally to old age assistance, teachers' retirement, aid to the blind and aid to dependent and neglected children.

Liberal support of our eleemosynary institutions was urged in that program. The legislature showed its concern by making adequate provision to take every insane person out of the jails in Texas. When the hand of misfortune is laid on one of our fellow citizens through no fault of his, we should provide every possible relief. As soon as the buildings can be completed, these people will be placed where they can have the most modern and effective treatment.

Proper use and regulation of the highways was stressed. The Legislature showed its interest in this matter by passing the most effective drivers' license law, adding more than one hundred new members to the highway patrol; plugging the loop holes in the motor fuel tax law which will add a million dollars to the highway funds; and other measures increasing the effectiveness of highway transportation and regulating the use thereof.

The program referred to advocated liberal provision for those schools and colleges which continue to teach the fundamental concepts of the democratic life. The Legislature responded with new buildings and adequate provision for our edu-

cational institutions of higher learning which places them in the front rank of similar institutions throughout the nation. And, what is perhaps more important, the Legislature made generous provision for the thousands of rural schools of our state, so that the pupils of these schools may be well prepared to enter the colleges we have provided for them.

I mention the foregoing as evidence of our collective ability to work together for the best interests of the majority of the people of Texas. A completion of this program does not mean that we will now approach a stagnant condition as far as legislation is concerned. It does mean that we have successfully met the problems which confronted us in the beginning of the recent session.

We will continue to be alert and mindful of the necessities of a growing and progressive population. Whatever is necessary for the common good will be undertaken with collective energy and a genuine desire to accomplish the greatest good for the greatest number.

As a private citizen I have always conceived it to be as much my duty, as that of any public official, to support and sustain this government of ours in all of its essential forms. To me the plan of government of our forefathers is of divine inspiration. It came from the same creative source from which trees come. Men can prune, cultivate and protect a tree, but only God can give life and vigor to that tree. It is a government of worship, of respect and faith. Every commercial transaction is attested literally or figuratively by a coin which bears the motto "In God we trust." It is a government of laws and not a government of men. A government of law is not controlled by the weaknesses and prejudices of men. It is not swayed by the policies of any party nor by the individual opinion of any man who may be for the time being the chief executive.

A government of men is subjected to all the whims and caprices, all the passions and cruelties, of men. In a government of men nothing is secure. The will of one man or of a few men constitutes the authority to which all men must submit in all things. This is the government of

Hitler and Mussolini. In a government of law the God given rights of the people are protected, no matter who holds the office of chief executive. This is the government of England, whose constitution, though unwritten, is so sacred that King and Prime Minister dare not trespass upon it.

Ours is a government which inspires men to obey the law. Obedience to law on the part of the individual is a fundamental requisite in a government of law. We oppose the making of law by a dictator; we oppose any authority which is founded on the unbridled edicts and decrees of one man or of a set of men. By the same token we must not permit any individual to violate the law with impunity in a government of law. To countenance such action is to permit the individual to substitute his will and caprice for the certainty of the law. Our Constitution provides that the governor shall cause the laws to be faithfully executed. This challenge to enforce the laws of this state is as great as the call of Seneca's pilot when, midst the storm of surging seas, he exclaimed to Neptune:

"Thou may save me if thou wilt, and may, if thou wilt, destroy me; but whether or no, I will steer my rudder true."

No public officer worthy of his trust can be unmindful of his duty to enforce the law. Even if it should mean future political oblivion, he still must steer his rudder true as he charts the course which his constituents must follow. Even if it means submerging his individual opinion as to what the law ought to be, he still must respect the majesty of the law. He must restrain his own opinions if those opinions should run contrary to the law.

The self-imposed restraints are guardians of Democracy. The self-imposed discipline of the individual promotes that quality of mind and heart which Shakespeare had in mind when he caused Polonius to say to Laertes, his son:

"This above all—to thine own self be true and it must follow as the night the day, thou canst not then be false to any man."

The real students of government have formed an intense love for our

plan of government and a profound respect for our four cardinal freedoms. Long before Communism, Nazism and Fascism became dominant among the peoples of Europe we could have seen them raising their ugly heads above the horizon if we had devoted our talents and our attention to the philosophy of our forefathers.

Benjamin Franklin is authority for the statement that the framers of our Federal charter of liberties went back to ancient history for models of government and examined the different forms of those republics which at that time no longer existed. They were destroyed when the seeds of their destruction sprouted in the minds of the people and reached maturity in the avarice of the individual.

I think in his imagination he saw the glories of ancient Greece fade away as her citizens became indifferent to the preservation of their liberties. Athens was once the most fascinating city in the ancient world. From the pages of history he saw Athens go down, not as it went down recently to Hitler's panzer divisions, but because the passion and genius of its people for self government had been destroyed.

In his student's vision he probably sat in the galleries of the Roman Senate and, from this vantage point, he observed in retrospect the swift decay and final eclipse of the Empire and then of the Republic.

Then perhaps he turned his attention to the progress and development of the Anglo-Saxon race, a race in which the love of liberty, of property and of property rights is inherent. And from this pinnacle of history he undoubtedly watched our remote forefathers as they wrested Magna Carta from King John at Runnymede in the year 1215.

This great charter of human liberties embraced the four cardinal freedoms upon which all our democracies rest—intellectual, spiritual, political and economic liberties.

Perhaps he watched the development of these principles as the emigrants brought them to Jamestown and Plymouth Rock. In the hour of adversity they flourished and developed a valiant people. Under the providence of God a mighty nation has now become the champion of op-

pressed peoples throughout the world.

Our great President shows determination to resist every force of aggression and conquest which threatens the liberties we enjoy. Texas is a vital part of this aroused nation. It is incumbent on every citizen of Texas to support our Commander-in-Chief in the defense of our ideals, our standards of life and our fundamental principles.

Propagandists have given us a scare that perhaps we too have become soft as France was shown to be soft last year and as Greece and Rome were soft in the decay that destroyed them. It is a pity that the sons of LaFayette and Rochambeau forgot the teachings of their fathers.

But the valor of Texans has never been open to question. Under a broiling hot sun this very day our sons are demonstrating again that there is true tempered steel in Texas manhood. They proved in 1918 on the bloody fields of France that the descendants of men who fought at San Jacinto, at Bull Run and at Gettysburg had not grown soft nor weak in patriotism.

There may have been those in the dark dawning day of 1861 who believed or feared that Texans had grown soft during the long years after 1836. But go yonder in the beautiful grounds of our beloved Capitol; look up at the monument to Hood's Texas Brigade and read these lines by President Jefferson Davis:

"They have shown on many battlefields their willingness to die for Dixie, and have a right to wear on their banners the motto of Hampden 'No steps backward.'"

Go to the other side and you will find these words of General Robert E. Lee carved into a massive block of our own Texas granite:

"Their ragged clothes make no difference. The enemy never see their backs. Hood's Texas Brigade is always ready."

No, I can say to the mothers of Texas—none of us want war. All of us deplore the signs and portents with which the sinister forces of dictatorship threaten our peaceful ways, but if war does come, I can say in advance of our people that historians will write of the valor of our men as

Davis and Lee wrote of the men of Hood's Brigade—"Texas is always ready." And we, who do not go to training camps nor advance to combat, have a responsibility to bring out the iron that is in us. Any weakness that is among us must be put off as a man sheds his light summer raiment and prepares himself against the cold blasts of winter.

It is my fervent hope that my term of office will be characterized by honesty and efficiency in every department of our state government; that we can have an era of happiness and peace, of thrift and industry, of devotion to Christian ideals under the widening influence of solid education, where refinement and culture go hand in hand with material progress. I earnestly request the co-operation and assistance of my colleagues in the public service. May we collectively evidence an earnest concern for the rights and welfare of every citizen regardless of rank or station. I am conscious that a happy people must sacrifice to achieve, without which we leave no worthy history, or record in the halls of fame. If the register of time shows some achievement along these lines, I will be happy and contented with the verdict of mankind.

At 12:30 o'clock p. m., at the conclusion of the address Speaker Leonard pronounced the assemblage adjourned.

ADJOURNMENT

On motion of Mr. McAlister, the House, at 12:35 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

The following committees have filed favorable reports on bills, as follows:

Game and Fisheries: House Bill Nos. 55, 39, 46 and 53.

Highways and Motor Traffic: House Bill Nos. 41 and 45.

Judicial Districts: House Bill Nos. 36 and 54.

Municipal and Private Corporations: House Bill No. 57.

Privileges, Suffrage and Elections:
House Bill No. 43.

Counties: House Bill Nos. 49, 51,
52 and 56.

School Districts: House Bill No.
47.

State Affairs: House Bill Nos. 42
and 44.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, September 15, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 6, A bill to be entitled
"An Act amending Chapter 13, Acts
of the Third Called Session of the
Forty-second Legislature, as amend-
ed; declaring the policy of the State
with reference to building, maintain-
ing, and financing state-designated
roads; defining certain terms used
throughout the Act; continuing the
Board of County and District Road
Indebtedness and prescribing the
powers, duties, and obligations of
said Board; allocating revenue ob-
tained from the occupation tax on
the business of selling gasoline; con-
tinuing the County and Road District
Highway Fund and the Lateral Road
Account; designating the money to
be placed in said funds and prescrib-
ing the manner and purposes for
which such funds shall be expended;
and declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, September 15, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 30, A bill to be entitled
"An Act to prohibit the taking of
squirrels in Fayette County, Texas,
during certain months of each year,
providing for an exception when
squirrels are found to be damaging
crops; repealing all laws in conflict;
providing a penalty for violation of
said Act; and declaring an emer-
gency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, September 15, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 33, A bill to be entitled
"An Act to amend subdivision 38, of
Article 199, Title 8, Revised Statutes
of 1925, as amended by Act of the
Forty-fifth Legislature at its Regular
Session, page 484, Chapter 246, and
providing for changing and prescrib-
ing terms and times of holding the
Courts in the counties composing the
Thirty-eighth Judicial District of
Texas; etc.; and declaring an emer-
gency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, September 15, 1941.

Hon. Homer L. Leonard, Speaker of
the House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 28, A bill to be entitled
"An Act authorizing the Commission-
ers' Court in each county in this
State having a population of not less
than six thousand two hundred
(6,200) and not more than six thou-
sand two hundred and fifty (6,250),
according to the last preceding Fed-
eral Census, to allow each County
Commissioner certain expenses for
traveling and in connection with the
use of his automobile on official
business only and/or in overseeing
the construction and maintenance of
the public roads of the county, to be
paid out of the Road and Bridge
Fund of the respective Commission-
er's precinct; requiring each such
Commissioner to pay the expense of
operation and repair of such vehicle
so used by him without any further
expense whatsoever to the county;
and declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, September 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 31, A bill to be entitled "An Act providing for a closed season or a period of time when it shall be unlawful to take bullfrogs from any portion of Fayette County, Texas; providing for a penalty for violation of said Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, September 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 11, Providing for sine die adjournment Friday, September 19, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, September 15, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 9, Granting the Harper Standard Engraving Company of Dallas, Texas, permission to bring suit against the State of Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, September 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 8, Making certain requests of Congress with reference to the Social Security Act.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, September 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 6, Authorizing the State Highway Department to lend equipment to the City of Mount Pleasant.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

September 17, 1941

House Concurrent Resolution No. 6.

House Concurrent Resolution No. 8.

SEVENTH DAY

(Thursday, September 18, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Crossley
Allen	Crothwait
Allison	Daniel
Alsup	Davis
Avant	Deen
Bailey	Dickson of Bexar
Baker	Donald
Bean	Dove
Bell	Duckett
Benton	Dwyer
Blankenship	Ellis
Boone	Eubank
Brawner	Evans
Bray	Favors
Bridgers	Ferguson
Brown	Files
Bruhl	Fuchs
Bullock	Gandy
Bundy	Garland
Burkett	Gilmer
Burnaman	Green
Carlton	Halsey
Carrington	Hanna
Cato	Hardeman
Chambers	Hargis
Clark	Harris of Dallas
Cleveland	Harris of Hill
Coker	Hartzog
Connelly	Heflin
Craig	Helpinstill